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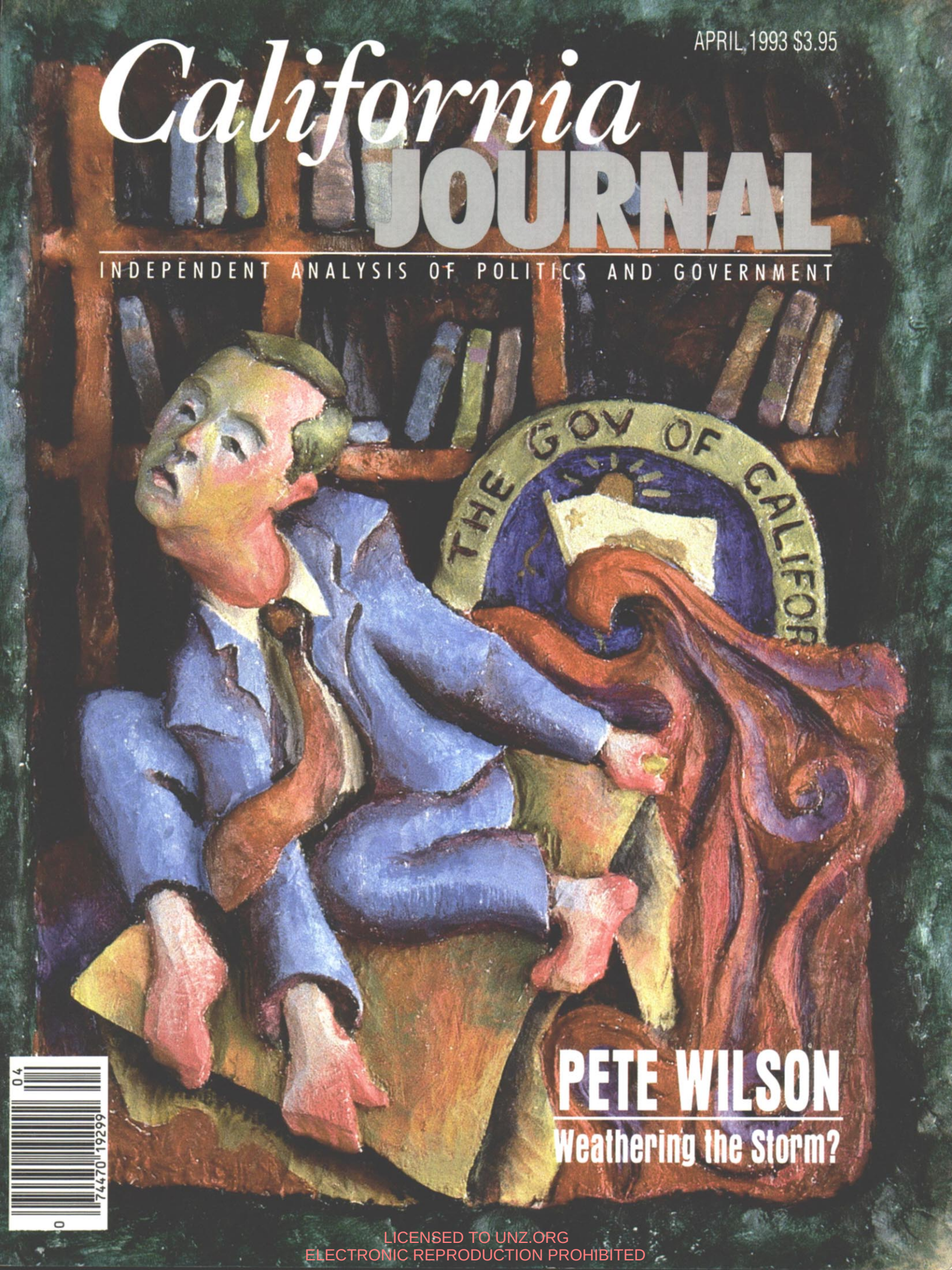

PETE WILSON

Weathering the Storm?

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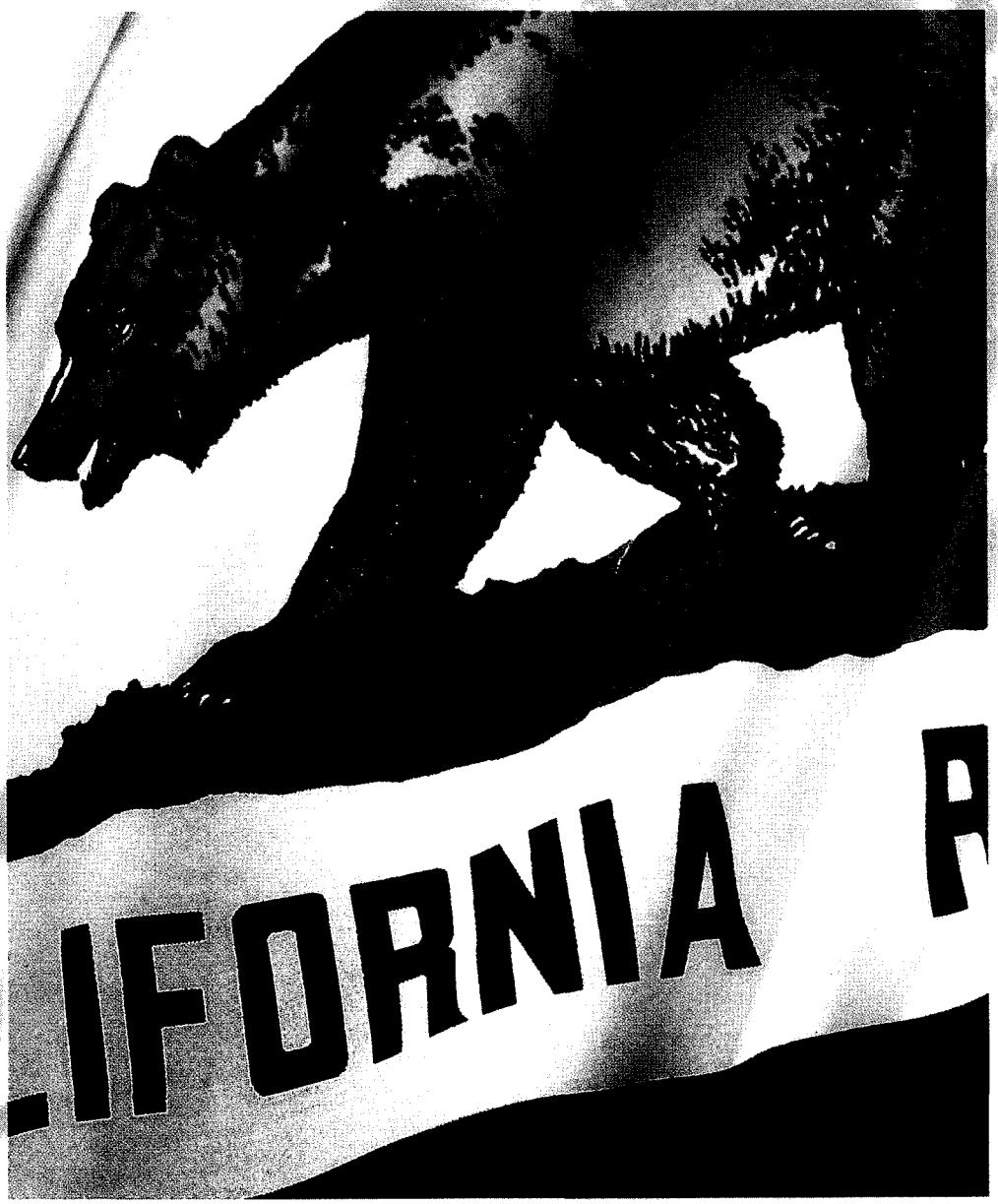

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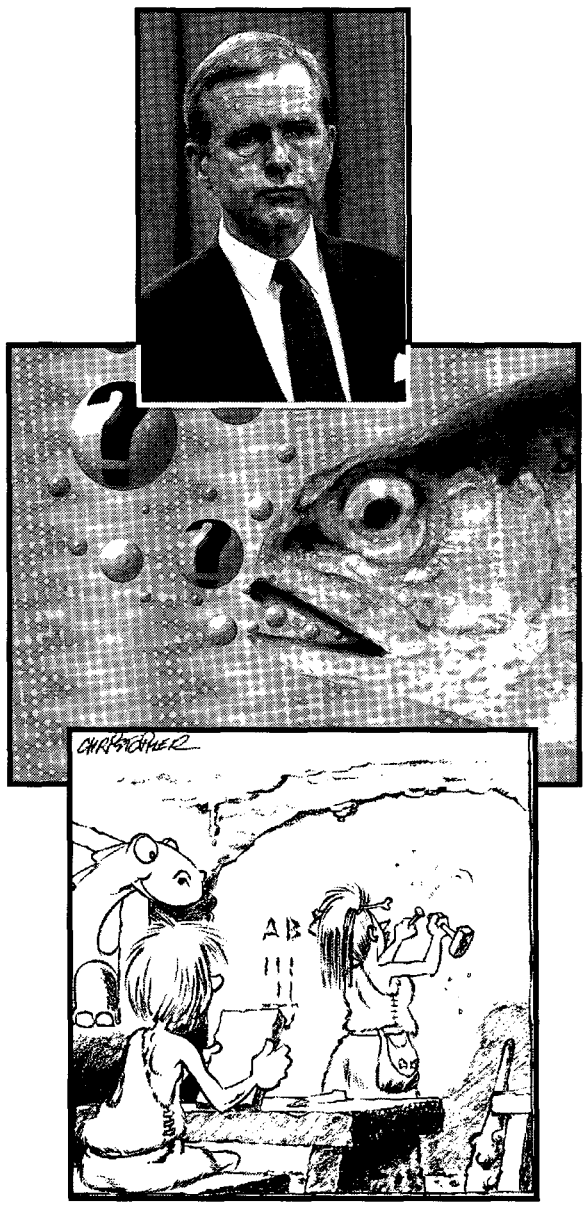

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UP FRONT

Stand with us here upon the terrace — a modern song in two parts:

• "B.T. Collins is not for the faint of heart."

We wrote those words nearly 15 years ago when our Sacramento career, and the Sacramento career of Brien Thomas Collins, were both getting under way. Then a junior lobbyist for Jerry Brown, Collins already had made his mark as a hard-working, blunt-talking public servant who also just happened to be the best *raconteur* in town. Unfiltered remarks sometimes got Collins into trouble, like the time he was quoted as saying that Jerry Brown (who he was then serving as chief of staff despite his Republican registration) should wash his hair more, dress better and maybe spend a little more time concentrating on the details of being governor. But even those who where on the receiving end of a Collins barb (Brown refused to accept his resignation) rarely held it against him. The reason was simple: Collins could get angry, but he could never be mean. With a hook replacing the right hand he had lost in Vietnam, a withering gaze and no-nonsense intellect, Collins could intimidate. But he also had an infectious grin and a willingness to help others that kept him in constant demand. And Collins never seemed to mind that others sought out his service, even though it made him live life at a heart-breaking pace. What he wanted to do most was serve: as as a Green Beret in Vietnam, for Jerry Brown, in more recent years for Tom Hayes and Pete Wilson, and finally for the voters of suburban Sacramento as an assemblyman.

It is unthinkable that Collins could slow down, even though he had a history of heart trouble. And despite that history, Capitol denizens of all stripes where shocked last month when Collins died of a massive heart attack at age 52. In this day of the homogenized politician, B.T. Collins was an original.

• It is always grim news when a member of the fraternity goes down, and so it was last month when word arrived that the century-old *Peninsula Times Tribune* of Palo Alto had printed its final edition on March 12th. A deal to sell the paper's five San Mateo County weeklies to the *San Francisco Independent*, a thrice-weekly free paper, was in the works mid-month and looked hopeful.

Not that the owners of the *Times Tribune* were paupers. The paper was owned by the massive Tribune Company — a Midwestern media conglomerate that owns, among other properties, the *Chicago Tribune*, an array of television stations and the Chicago Cubs baseball team. Back in 1978 the Tribune Company bought the *Redwood City Tribune* and *Palo Alto Times* and merged them into a single paper. According to industry observers, it was not an ideal marriage. The two papers had very different readership, and the merged version never succeeded in bridging the gap. In addition, a beefed-up and more aggressive *San Jose Mercury News* tore into the paper's circulation area throughtout the decade of the 1980s.

The *Times Tribune* lost money every year, and circulation dropped from 66,000 to 40,000. In February, Tribune Company issued legal notificaltion that if no buyer were found, it would shut the paper. Ninety inquiries were whittled down to two qualified buyers. But one dropped out after the typographers union rejected a proposal to give up lifetime guaranteed jobs; the other backed off when the Tribune Company refused to pay for, among other things, the clean up of any toxics discovered at the downtown Palo Alto plant.

One Step Short. Ray Haynes, the Republican who represents the 66th Assembly District in Riverside and San Diego counties has introduced a bill (AB 1776) that would require high school students to be taught and tested on the Declaration of Independence, the U.S. Constitution and "The Federalist Papers" — that massive chunk of 18th Century thought that expressed the underlying philosophy of those who wrote both documents. Called the "Civil Literacy Act," it is designed to enhance knowledge about and respect for institutions of government — respect too many citizens have lost, Haynes argues.

It seems to us, too, that too many of our citizens have lost their respect for government and have become too cynical about the way government operates. But requiring that students be versed in the ideals and philosophies of the Revolution may not go far enough toward correcting the problem. Seems that much of the political cynicism today comes from the fact that the real world of politics and government is vastly different from the glossy version often taught in high school civics classes. Perhaps Haynes ought to devise a companion measure to require a course on political fund raising, conflicts of interest, legislative ethics, the perks of office, egomania in public officials, bureaucratic indifference, politicians as real human beings and the daunting effects of complex, real-world issues on the notion of political courage and risk-taking. Perhaps if you give students a dose of *realpolitik* in high school, they won't be so turned off as adults when the real world doesn't quite measure up to all the idealistic bromides hurled their way in civics class.

"The worst thing is that we live in a contaiminated moral environment. We have fallen morally ill because we became used to saying one thing and thinking another. We have learned not to believe in anything, to ignore each other, to care only about ourselves."

— Vaclav Havel

Come across a blurb lately that's nosy, newsy or smartalecky about California government, politics or politicians? Share it with the Journal. *We pay up to $25 for entertaining tidbits published in "Up Front." So, rush your items to Up Front, 1714 Capitol Avenue, Sacramento, CA 95814. Sorry, submissions cannot be returned.*

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ROSTRUM

Senator Watson's quote

If there was one flaw in your story about former Supervisor Kenneth Hahn (see "The last populist," *CJ,* February 1993), it was the use of an outdate, misunderstood quote which still follows me around like a bad penny. Back on January 29, 1991, while attending a mandatory ethics seminar for legislators, I made a reference, in the context of discussing contribution laws, about legal constraints which apply only to legislators and not what I alluded to as "ordinary people."

While there are good reasons for some of these laws, they certainly are burdensome and "extra-ordinary:" We must publicly list our assets, report every donation, refrain from accepting gifts over a certain amount, never take contributions offered in our Capitol offices and only accept loans at full market value interest rates — hardly the restrictions placed on "ordinary people."

My remarks have been misinterpreted and too often taken out of context. To set the record straight: I was simply making the obvious comparison between what elected officials are required and/or forbidden to do by law, and what is perfectly acceptable for everyone else. My response seemed to me a perfectly "ordinary" comment at the time, and still does today.

DIANE WATSON
Senator, 28th District

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PeteW

Steering

Does he need an extraordinary change of luck to survive?

By Richard Zeiger

photos by Rich Pedroncelli

PETE WILSON IS WEARING THE SHEEPISH LOOK he gets when engaged in an activity that may not be dignified enough for the governor of the nation's largest state. He is about to tack a sign to his office door saying, "No Smoking." The effort, accompanied by a raft of television cameras, is to publicize his new executive order banning smoking from all state office buildings. The event is of dubious significance, since most state departments had already eliminated smoking and the most prominent exception, the state Capitol itself, is under the control of the Legislature and thus outside of Wilson's domain.

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lson:

hrough a sea of woes

But if the action will have less than cosmic significance, it does succeed in one major respect: It gets Wilson a few precious moments on television news.

Indeed, the Wilson handlers are so enchanted with the motif that they repeat it several days later when Wilson proclaims the official end of the state's six-year drought by posting a new sign over the drought-emergency office, identifying it now as the water-conservation office. Wilson stages the event despite the fact that a day earlier, by mistake, bureaucrats within the state had confessed that the drought had indeed ended, thus stealing their boss' thunder. No matter; the television cameras roll again.

Welcome to the start of Pete Wilson's 1994 re-election campaign.

There has been no formal announcement, of course, but Wilson concedes, "I suppose we have been a little bit more visible."

Although it may seem a trifle premature to be campaigning with the election 20 months away, Pete Wilson has a very long way to go. Indeed, there are many who believe it is all but impossible for Wilson to win a second term, which would make him the first one-term California governor in more than 50 years. Culbert Olson managed it by losing to Earl Warren in 1942.

But Wilson's standings in the public opinion polls remain at an all-time low despite a recent upturn. With the state's economy stubbornly refusing to rebound and with prospects good for another budget crisis this summer, it could take an extraordinary change of luck for Wilson to survive. And so far, just about all of Wilson's luck has been bad. As governor, he has been faced with a series of natural and man-made disasters of biblical proportions: fires, earthquakes, drought, floods and even urban rioting.

To make matters worse, the national recession and post-cold war cutback in military spending have hit the state with a fury unknown since the Great Depression. In the post-Proposition 13 era, the state's revenue stream has become unusually sensitive to changes in the economy. The property tax is fairly stable even in bad economic times, but the sales and income taxes — the state's major sources of money — fall off rapidly in bad economic times, and Wilson and the state Legislature have been faced with one intractable budget deficit after another.

And chances are good that the same thing might happen again. Democrats and Republicans remain far apart on key issues. Wilson hopes that the new freshman class will be more receptive to making what he describes as the "necessary tough decisions." But some early Wilson deadlines for budget cuts have come and gone, and so far there has been no indication that the new Legislature is any more willing to bend to the Wilson will than was the old one.

Wilson agrees that "in one sense" he has been the victim of bad luck. But the circumstances of his first term, and his reaction to them, have left him "with a story to tell. When it's

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told and people begin to appreciate it and think about it they will come to the same conclusion: That in fact it's been a time of unrelenting challenges of all kinds and that they have indeed been tough times but they've been met pretty well."

A recent round of base closures added to Wilson's woes

"You have to be aggressive about getting the story out. That is what we haven't done," Wilson said in an interview with *California Journal.*

But if the times were difficult, Wilson's response hasn't always been consistent. In his first year, to deal with the deficit by cutting a deal with legislative Democrats, he accepted substantial increases in taxes and, in exchange, Democrats agreed to some cuts in programs. But portions of the deal also were cobbled together with questionable fiscal gimmicks, and the budget began to unravel before the year was out. Moreover, the conservative faction in Wilson's own party, never really fans of Wilson's to begin with, were angered further by the tax increases. When Wilson's first year ended, the governor seemingly was without a friend in the world.

The second year was not much better. Wilson decided there was little political or practical advantage in combining with Democrats on the budget, and that the worsening financial situation made it impossible and inadvisable to try and balance the budget with more taxes. So Wilson hunkered down. He had learned the lesson that the governor who is willing to say "no" to the Legislature can have the upper hand. Wilson for the most part refused to parley with legislative Democrats, and this led to a budget impasse that lasted more than two months but that was largely settled on Wilson's terms.

"What I understand very well is that while the public is inclined to say, 'A plague on both your houses,' the Legislature is an abstraction to them. They never connect that good old Charlie that they keep re-electing is part of the problem. By contrast, the governor . . . is almost by definition high-profile. If they're not happy with something, he's likely to get a major share of the credit," Wilson offered.

Democrats, he maintained, were willing to hold up the budget in order to gain political advantage. "They haven't even been subtle about it. The speaker [Willie Brown] even indicated in a *New York Times* profile on me . . . it was his purpose to deny me re-election."

But in saying now that he always knew he would get the worst end of a budget impasse, Wilson is indulging in a little revisionist history. At the time, the administration thought that Wilson was in the better position to sit out the storm. After all, it was the legislators, mostly Democrats, who were up for election in November 1992. The governor wouldn't have to face voters for more than two years. By that time, these budget difficulties would surely be history.

An election debacle

Things didn't quite work that way. The '92 budget fracas was followed by November elections that gave Democrats a resounding victory. They captured both seats in the U.S. Senate, including Wilson's old Senate seat with a victory over John Seymour — Wilson's handpicked successor; secured the state's electoral votes for Bill Clinton; gained a seat in the state Assembly despite a new reapportionment plan drawn by the state Supreme Court that was expected to benefit Republicans; and managed to defeat Wilson's initiative measure to cut welfare spending while increasing his own powers as chief executive.

All-in-all, it was a dismal showing for Wilson and added to the notion that his reelection prospects are dubious. There was even some talk that he might be subject to a challenge from within his own party. The names of a few conservative challengers were floated, including that of Bay Buchanan, an unsuccessful primary contestant for state treasurer in 1990 and the sister of erstwhile columnist and presidential candidate Pat Buchanan, and that of former Assemblyman Tom McClintock, who

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seems to be in favor despite the fact that he was defeated in a 1992 bid for Congress.

Most of that talk died down following last month's Republican state convention as the GOP came to realize that, if it wasn't in love with Wilson, it did like controlling the governor's office.

"When you've lost the White House and you find your governor down 16 points in the Field Poll, it reminds you of why you need to stick together," notes Republican consultant Sal Russo.

But even if Wilson manages to avoid a strong challenge from within his own party, he won't be so lucky in the general election. The Democrats have an array of candidates available to challenge Wilson, and polls at this point show them beating the incumbent.

The favorite of the political cognoscenti at the moment is state Treasurer Kathleen Brown. The daughter of former Governor Pat Brown and the sister of former Governor Jerry Brown, Kathleen already has put more than $2 million in the bank that could be the start of a run for governor. In addition, during the 1992 elections, she campaigned tirelessly for an array of Democrats, assistance that should be repaid in 1994 if she decides to run. Brown possesses the charm of her father and the intelligence of her brother and, at least so far, has not displayed the drawbacks of either.

However, Wilson supporters say that can't last forever.

"Kathleen Brown is an unknown commodity. The more she's known, the less strong she becomes," offers Republican consultant Ray McNally. "Kathleen Brown has nowhere to go but down, and Pete Wilson has nowhere to go but up. It's dangerous to predict Pete Wilson is a one-term governor."

In addition, the Wilson crew says that Brown isn't well-known to the public. As voters get to know her better, chances are many will not like what they see, particularly if they have some help from a Wilson campaign. They also scorn Brown for what they claim is her failure to take a stand on tough issues.

"Take the sales-tax extension. She says it should be firmly on the table for discussion. There's a tough position," notes Wilson communications director Dan Schnur.

Furthermore, Brown still must make it through a presumably contested primary. Her most likely opponent is state Insurance Commissioner John Garamendi. Also bright and attractive, Garamendi was the titular head of Bill Clinton's California campaign. Even so, Garamendi probably has fewer chits for 1994. For one thing, Garamendi used up some of his capital trying to win his wife, Patty, a seat in Congress. She lost, in her third try for public office, and that defeat may have included the added burden of hobbling her husband's bid for advancement.

Also a long-shot to run is Controller Gray Davis. Davis tried to beat Dianne Feinstein for the U.S. Senate nomination in 1990 and a nasty turn toward the end of that campaign made him unpopular with some Democrats.

The award for the most whimsical proposal floated so far, though, must go to those who are advancing Willie Brown as a candidate for governor. Although certainly bright and knowledgeable about state government — a person certainly qualified to serve — Brown probably is not electable. Over the years, rightly or wrongly, he has shouldered the burden for all of the complaints about the ineptness of California's Legislature. He has some of the highest negative ratings of any California elected official. Even if he could win a Democratic primary, chances are very slim he would win in November. Brown knows this and has done nothing to encourage the trial balloons. But the mere mention has been enough to set off a load of quips, including one GOP stalwart who offered that if Willie Brown should get the Democratic nomination, it was "proof that God is a Republican."

But the Almighty rarely makes such blatant interventions in the affairs of mankind, and Wilson likely will face much more formidable opposition.

And Wilson is no pushover. Beneath a placid exterior is a rock-hard campaigner; the Marine who refuses to know when he's licked.

"He's determined and very proud. And he's often underestimated. He welcomes the fact that he'll be judged an easy mark," notes Larry Thomas, a Wilson confidant who worked for the governor when he was still mayor of San Diego. Plus, said Thomas, there are the "inherent powers of the office that can be used to achieve goals and to capture the public attention. He's a man who's skilled at doing that,

Kathleen Brown has nowhere to go but down, and Pete Wilson has nowhere to go but up. It's dangerous to predict Pete Wilson is a one-term governor.

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particularly if he get a little running room from the problems that have been plaguing the state."

Wilson has also been making staff changes, and observers now believe that he has a team in place that is up to the re-election challenge.

Budget negotiations with legislative leaders mostly produced gridlock in 1992

Indeed, staff difficulties in the beginning of Wilson's administration have been cited as the cause of some of the governor's problems.

"I don't think he's been well-served," notes one Republican observer, who asked to remain anonymous. "He's got some fine people, but by and large, there have been too many screw-ups."

Wilson brought in George Dunn and Joe Shumate and deputy chiefs of staff, as well as Republican hit-man Joe Rodota to be his cabinet secretary. Furthermore, Schnur has hit his stride as Wilson's chief spokesman, a task that had been conspicuously missing after the untimely death in 1991 of Wilson confidant Otto Bos.

Wilson also has refined his position on the economic front. No more finding the middle road that characterized his first year. Now Wilson's mantra is that the state must do all it can to create jobs in the private sector. That means changing the worker's compensation system and giving tax breaks to industry. And it means that a long-awaited Wilson proposal on managing growth in the state turned out to be a tepid rehash of existing policies along with a plea for streamlining the state's various permit processes so that growth can continue. Indeed, there are even some in the environmental community, where Wilson has long been considered one of the few reliable Republicans, who believe the governor is now willing to soften state environmental laws if it will spur business development.

Wilson's own personality should also be given some of the blame. Wilson is good at standing firm, but such a position makes one inflexible. And when events don't go as you plan — as they have not in the first two years of the Wilson administration — a little flexibility might be useful.

Events have forced Wilson to be a governor playing defense. That's not what he had in mind when he got elected. Wilson came to office promising to be one of the most active governors in recent state history. His program of preventive care for children of all economic stripes was novel and aggressive. Indeed, his was the notion that every child should have a "mentor" to help him or her get through the difficult business of growing up. The concept that government would help find everyone a guardian, at its core, can be considered very un-Republican, but Wilson doesn't see it that way.

"The kinds of things that are necessary to give kids the best break in life include those things that are governmental programs like health care for poor mothers, pre-natal care . . . and the entire range of early childhood programs we have instituted," says Wilson. "There has to be an individual, some individual to get them off in life and really to carry them on through."

"I don't think it's a partisan activity," Wilson notes. Lots of volunteer groups already are in the business, and government should be supporting these. "There are hundreds of organizations like this and there should be more."

But the budget crisis has kept Wilson from all but a token start to his new programs; a promise that, one day, things might get better. But for now, Wilson has been the unluckiest of recent governors, and now it just could take a substantial change in fortune for him to survive, although Wilson doesn't see it that way.

"It's easy to govern in easy times."

"I'm not counting on that," Wilson said. "You make your own luck. People do win re-election who had re-elect negatives that caused people to write them off. Those things change when you have someone to run against.

"It's easy to govern in easy times. It's difficult to govern in difficult times. You are probably a better governor when you are compelled to manage well and lead in difficult times. It's a hell of a lot more difficult to do.

"The best way to run for any office . . . is to simply do the best job possible with the one you've got. That's what gives you the greatest credibility. Talk is cheap. It is very easy to make promises and it is very difficult for people to judge; they may want to believe the promises but in fact what is most credible to them is what should be — what you've actually done."

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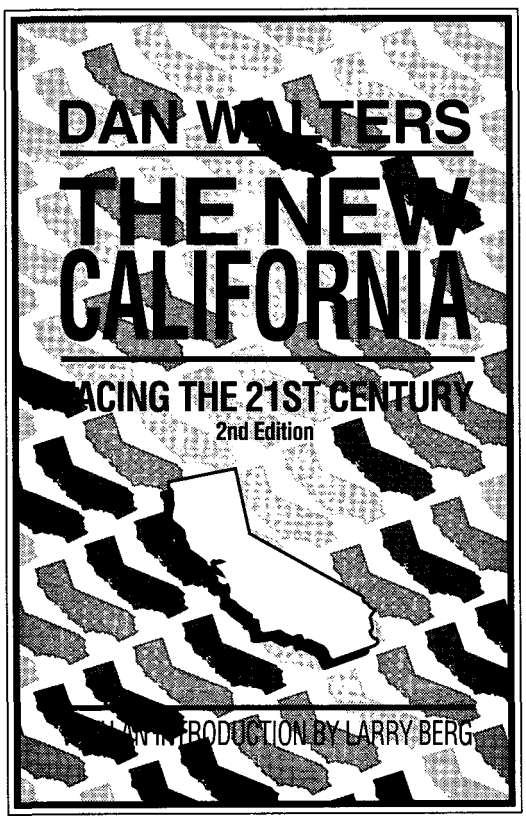

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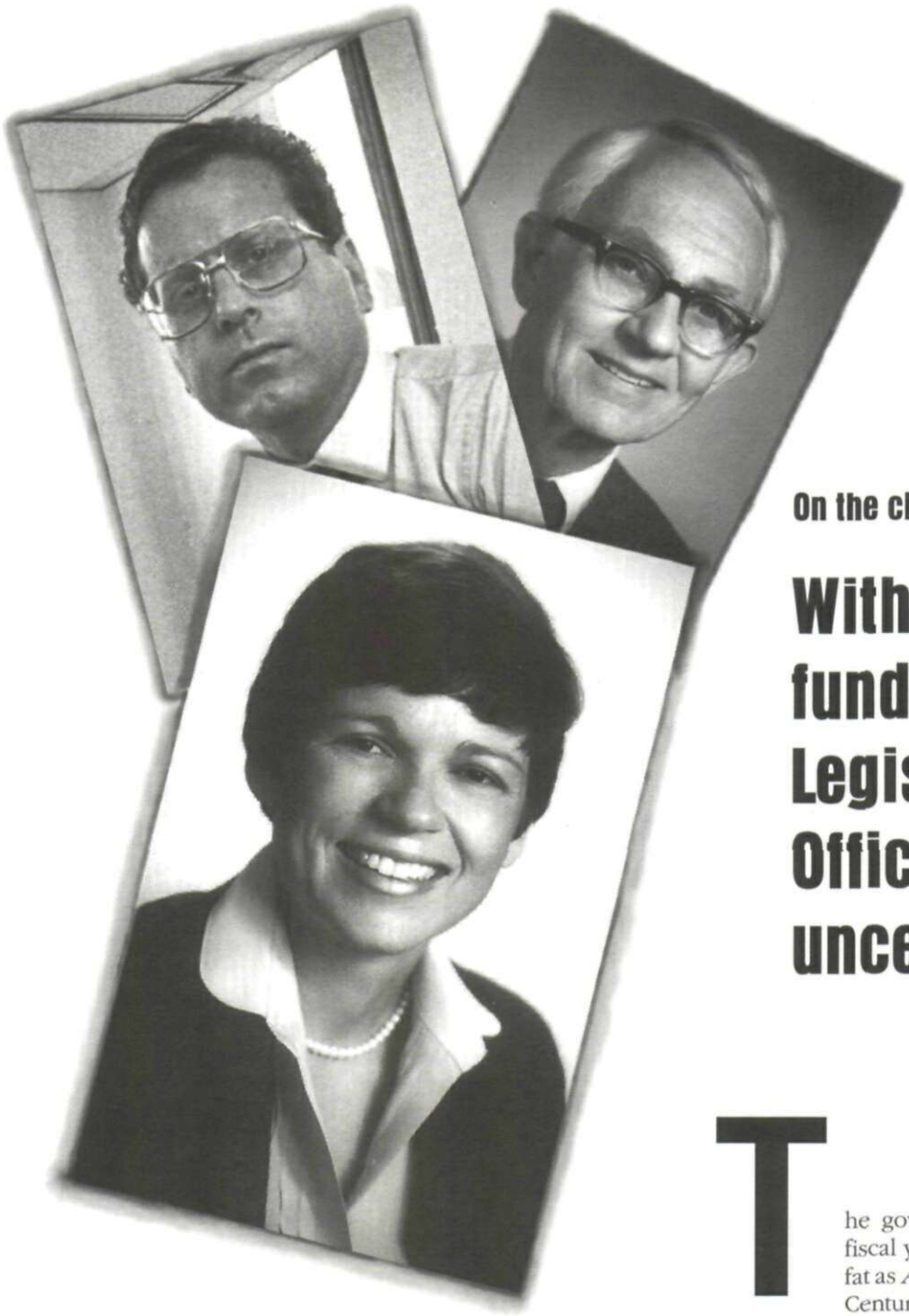

Pictured above: the three most-recent legislative analysts. Back to front: A. Alan Post, William Hamm, and Liz Hill

On the chopping block

With Assembly funding in doubt, the Legislative Analyst's Office faces an uncertain future

By Danielle Starkey

The governor's spending plan for the 1993-94 fiscal year is a burgundy-bound book about as fat as *Anna Karenina*. But unlike that great 19th Century Russian novel, the budget document is mostly acronyms, codes and tables. To the uninitiated, it's about as interesting as somebody else's tax forms.

Every year, the staff of the Legislative Analyst's Office (LAO) pores over the budget document. Often working 12-hour days, six days a week in a building across the street from the state Capitol, these analysts double-check the governor's tables, add up his numbers and look for erroneous assumptions. Even more remarkable than their eye-straining efforts are the results: documents that Democrats and Republicans alike have praised as indispensable tools to understand — and challenge — the governor's budget plan.

The rest of us probably know the LAO by its analyses of ballot measures that appear around election time in our ballot books. The LAO takes no position on the measures; it just says what the propositions are about, what they're likely to cost and any relevant history.

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"I'm trying to move the office forward," said Legislative Analyst Hill, who was appointed in 1986. "Are people looking for work? Yes. I think morale is realistic. Three analysts have left since word got out [that the Assembly had not agreed on a funding amount]."

But hard times have befallen the LAO, as they have every office relying upon the Legislature for survival. First, there was Proposition 140 — the 1990 term-limits measure that also cut the Legislature's operating budget by 38 percent. In the general blood-letting that followed, the LAO's budget was cut 60 percent, and it lost more than half its staff.

Then there was Proposition 158 last November which, along with Proposition 159, tried to remove the budgets of the LAO and auditor general from Proposition 140-imposed spending limits. Voters rejected both measures, and the auditor general has since gone out of business.

The most recent blow came when the LAO learned that, as of June 30th, only the Senate would continue to pay its share of the costs of maintaining the LAO. The Assembly's purse string would be cut. (Traditionally, the two houses have shared the cost.) If that comes to pass when the final budget bill is approved, the LAO stands to lose about $1.8 million dollars, or half the amount it got for the present fiscal year.

Assembly Speaker Willie Brown recently assured Legislative Analyst Elizabeth Hill that her office would receive some measure of funding, but the amount was left in doubt. That would be up to the Assembly Ways and Means subcommittee that deals with the Assembly's budget, he told her. When asked recently at a Sacramento Press Club luncheon if he would go along with a subcommittee recommendation to reduce the Assembly's contribution to the LAO, Brown said, "Absolutely."

With a staff that's dropped from 104 at its peak to 45, there is some question whether the LAO can continue to perform its work credibly if there is another significant funding cut.

"The Legislature is the big loser here," said William Hamm, who was the legislative analyst from 1977-86. (Legislative analysts are hired by the Joint Legislative Budget Committee, which requires that committee decisions take four votes from each house.) "I don't think it's written in stone that a state must have a legislative analyst, but it enables the Legislature to do things it's difficult to do otherwise."

One of those things is to confront the governor on public policy issues, Hamm said. "If the governor, for example, makes a proposal and says, 'This is how much it's going to cost and it's going to do great things for the people of California,' the Legislative Analyst is really the only body that can stand up and say, 'The governor's numbers are wrong.'

"If an assemblyman says that, or the Assembly Office of Research, or a Ways and Means Committee staffer stands up and says, 'The governor's estimates are too low,' there's a tendency for the public to say, that's just politics, that's a turkey dance."

The LAO serves not only as an impartial fiscal expert for the Legislature but also as the institutional memory for a body that this year will have at least 27 first-termers in the Assembly and at least four in the Senate. This role could become increasingly important as term limits take effect and as staffers, who once saw being connected to legislators as a long-term career, are replaced by new teams of people loyal to the newly elected legislators.

But institutional memory or no, legislators have some hard choices to make as a result of Proposition 140's budget limitations and the state's projected revenue shortfalls.

"Before Proposition 140, the only constraints on legislative spending were only political, and they weren't very strong. The Legislature was able to have it all," said Hamm, who is one of just four legislative analysts to serve since the LAO was created 52 years ago. "Along came 140 that says, 'You can't have it all; you can spend 60 percent of what you had,' which means: Of your 10 staffers, you can keep six of them. The question becomes, who are those six going to be?

"If you have to choose between two people, one who is trying to get you re-elected and the other helping you make better laws, we've seen a bias in favor of people helping people get re-elected," said Hamm, who now is executive vice president and chief operating officer at the Federal Home Loan Bank of San Francisco.

Some legislators — including those who heap praise on the Legislative Analyst's Office for its good work, and who publicly lament the possible loss of funding for that office — nevertheless have not championed its protection since voters defeated Proposition 158.

"It's been a very valuable agency over the years for the

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Legislature to become smartly informed and its loss will be tragic," said Ways and Means Committee Chairman John Vasconcellos, a Democrat from San Jose. But, he said, "The people chose to wipe out institutional memory; Proposition 140 wipes it out."

Vasconcellos, elected to the Assembly in 1966, said he resents the implication that legislators are favoring campaign experts over public policy experts when, because of Proposition 140, they've had to cut back staff. "I won't say it doesn't happen, but I don't think there's any wholesale evidence of that happening. I've always felt that the best way to get re-elected was to make good policy."

According to Assembly Majority Floor Leader Tom Hannigan, a Democrat from Fairfield, the problem facing the LAO is simply that its budget must be reviewed along with every other legislative expense.

"We agreed on the funding breakdown [between the Senate and Assembly] after Proposition 140," said Hannigan. "But we feel it's more difficult for us to live with that funding we agreed to, so we can't just give the analyst a free pass with respect to that level of funding. They're going to have to justify their spending plan. The Assembly has not yet decided at what level the legislative analyst will be funded, but we're putting it in a more competitive mode in requests for money than the Senate is."

Hannigan said there is a perception among a few assembly members — although he doesn't share it — that the LAO is an "arm of the Senate," and spares the Senate having to hire in certain categories. This perception might arise, he said, because the chair of the joint budget committee that selects the legislative analyst has always been a senator. (The trade-off occurred because the chair of the joint committee that selected the now-defunct auditor general came from the Assembly.)

Hannigan, who was elected to the Assembly in 1978, predicted that, when term limits take effect, the Legislature's institutional memory will rest primarily with lobbyists. "It has been argued that with term limits, the institutional memory, if it's not eliminated, will shift to staff. My view now is, I'm seeing a staff turnover greater than in the past. We are starting down a path of constant elections [and working for the Legislature] is not seen as the career opportunity it once was. Just as you're going to see legislators quit in mid-term to take jobs in the private sector, you're going to see long-term staff take jobs in the private sector."

Robert Naylor, a moderate Republican who served as Assembly minority leader in the early 1980s, said he's observed that the Legislature has become "a lot more partisan and political place" than it was during his tenure, and that the LAO is one of the victims of this trend. The increasing politicization began when "[Democrat] Howard Berman tried to replace Leo McCarthy as speaker, and there were some damaging primaries, and incumbents ousted," said Naylor, who's now a Sacramento lobbyist and regulatory lawyer. "It seems that in the early 1980s, the political stakes went up for holding onto power in the face of the new campaign styles; the amount of money in politics; and the changing demographics of the state," Naylor said. "This made members look to their staff for more political help for remaining in office, which tended to reduce what had been a profession in public policy.

"So, when a new committee chair came in asking, 'Who

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do I want as my top consultant?' it couldn't just be someone with expertise; it needed to be someone with good contacts, campaign experience and who had their political antennae up. In many instances, their professional involvement is no more than one factor: their ability to aid the member politically," said Naylor.

Naylor said that because the legislative analyst has a "good government" role and is not connected to any one member, "That puts them lower on the totem poll."

"I've been waiting for a cry of outrage from the press that the leg analyst would be decimated," Naylor added. "It serves a unique role. If you don't have the leg analyst, you don't have anyone but partisans doing the analysis. It's the last vestige of professionalism, [along] with the legislative counsel's office."

Naylor said he thinks that the Senate has chosen to preserve funding for the legislative analyst because "the Senate is less political and less partisan, and the leader, David Roberti, is leaving, so there's no equivalent to the Speaker [Willie Brown] having the power and concentrating on retaining that power. On the Assembly side, it's the speaker doing what's necessary to stay in power. A lot of his behavior could be understood if you understand how much he likes being in power."

Pete Schabarum, the former Los Angeles supervisor and Republican assemblyman who sponsored Proposition 140, insists that the Assembly can keep both the legislative analyst and adequate staffing levels, and to suggest otherwise is "poppycock."

"Even prior to term limits, too many legislators relied then and do now on their staffs and [lobbyists] in arriving at their vote. I think that is unconscionable," said Schabarum, who represented San Gabriel in the Assembly from 1967-72 before being elected to the Los Angeles County Board of Supervisors. He retired in 1990.

"I know whereof I speak," said Schabarum. "There's nothing wrong with being able to perform your legislative duties with a staff of three folks: a couple in the Capitol and one in the district. The committee staff, caucus staff, the extra research staff — many of them are there for political aggrandizement rather than the people's business.

"Legislators could cut the money elsewhere without touching the legislative analyst," Schabarum added. "It might help if some of those self-same legislators spend more time becoming knowledgeable with the bills they themselves introduce, and read them, which they don't do, and spend more time on a hands-on basis understanding their roles as legislators rather than on showmanship."

Former state Senator Bev Hansen, who retired when reapportionment shifted her previously Republican-leaning district to a Democratic one, said Republicans are the ones who will suffer most if the LAO is reduced further or disappears. "I think Republicans ought to be standing up for the legislative analyst," said Hansen, who's considering running for the Senate if her home district is vacated in a June special election.

Hansen said that Republicans now can rely on analyses prepared by the governor's Department of Finance. But she wondered how the GOP will fare down the road if Democrats still control the Assembly and a Democrat also controls the governor's office. How will it be for Republicans, she mused, when Finance is, say, Kathleen Brown's? "Who are the Republicans going to turn to [for policy analysis]?" she asked.

If the LAO is abolished, it won't be the first time professional policy staff was cut loose. Some trace the trend back to the day Willie Brown first became speaker. For instance, Tom Willoughby, who served 22 years as an Assembly committee staff member and was chief consultant to the Local Government Committee, was the victim of a early purge of professional staff. He was fired when a new committee chairman was brought on. Prior to Willoughby's experience, lawmakers had maintained something of a hands-off policy when it came to professional staff. In a legacy left over from the days of Speaker Jesse Unruh, committee chairmen came and went, but the staff remained.

"Before Willie Brown's tenure, there was an unwritten rule that committee staff should only be dismissed for cause," said Willoughby. "When Brown became speaker, he told his committee chairs, 'Organize your staff as you wish. I'm not going to interfere.' He took a hands-off approach and left it to the good judgment of the chairs."

Willoughby, now manager of government relations for PG&E, said Unruh had always stressed that members needed a professional staff and political staff, and that they should keep the two separate. "He thought that was essential to keep-ing everybody honest and above board."

Others note that the legislators' job has grown in complex ity as their districts have grown, and that the costs of getting elected are far greater now. Just a few years ago, Assembly races were won with tens of thousands of dollars.

"They [the candidates] might pony up that amount themselves. Now, elections involve hundreds of thousands of dollars, [and] it makes you beholden to contributers," said Alan Post, legislative analyst from 1949-77. Post now works on a commission to reform campaign financing.

"I have a feeling they're going to work it out" to keep the LAO, "[but] it's a difficult political issue," said Post. "I have a strong personal conviction that if they don't find a way of keeping the LAO, the Legislature will be burdened by the accusation that they've put their personal polticial priorities ahead of the priorities of the whole body. You have to have both houses participate [in funding the LAO], whether it's 50-50 or some other breakdown, due to the differential impact of Proposition 140 on the Assembly [with 80 members] and the Senate [with 40 members]."

In the interim, the LAO staff twist in the wind. "From the office's standpoint, uncertainty is the same as zero funding," said Hamm, who is Post's nephew.

"If you're an employee of the LAO, can you put your family at risk; put your health insurance at risk, by not doing something to secure your future? Are you willing to take that risk? Most of us don't have that luxury," Hamm said.

"I'm trying to move the office forward," said Legislative Analyst Hill, who was appointed in 1986. "Are people looking for work? Yes. I think morale is realistic. Three analysts have left since word got out [that the Assembly had not agreed on a funding amount]."

Hill said the last time the LAO had a staff of 45 was in 1966. At that time, there was no Proposition 13, "and we had a state budget of $4 billion. Now the state budget is over $60 billion. We didn't have the health and welfare programs we have, and K-14 [education] was mostly a local responsibility.

"We're not the only analytical shop in state government, but we're the only non-partisan one," Hill said.

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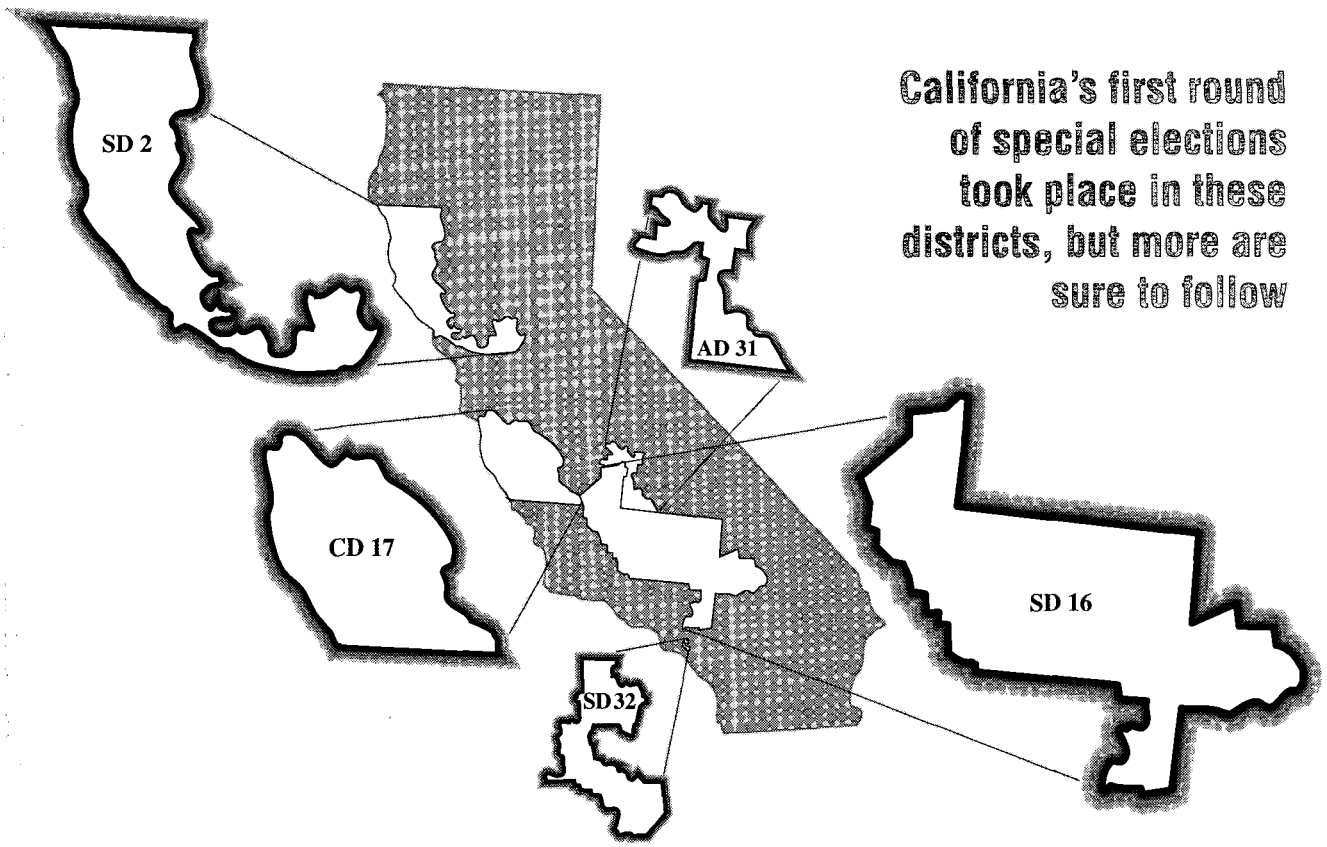
The never-ending election



California's first round of special elections took place in these districts, but more are sure to follow

By Danielle Starkey, Laura A. Locke, Mary Beth Barber, and A.G. Block

And you thought the elections were over. Silly you. The election season just may be in its infancy. From Redding to Orange County, voters have been casting ballots in a series of special legislative and congressional contests made necessary by resignations, appointments and election to higher office. And it won't end anytime soon. For instance, should Democratic state Senator Mike Thompson win his bid to replace Democrat Barry Keene in the 2nd Senate District, Thompson would vacate his current 4th District, thereby triggering yet another special election. Similar situations exist in other areas. In the 16th Senate District, Democratic Assemblyman Jim Costa is in an April run-off. If he wins, another special election would be held in his 30th Assembly District. And Sam Farr's quest to replace Democrat Leon Panetta in the 17th Congressional District could lead to another special election to replace Farr in the 27th Assembly District. And GOP Assemblyman B.T. Collins recent death forces a special election in the 5th Assembly District. All this, of course, is courtesy of local taxpayers. Here, then, is a run down on the *first* round of specials:

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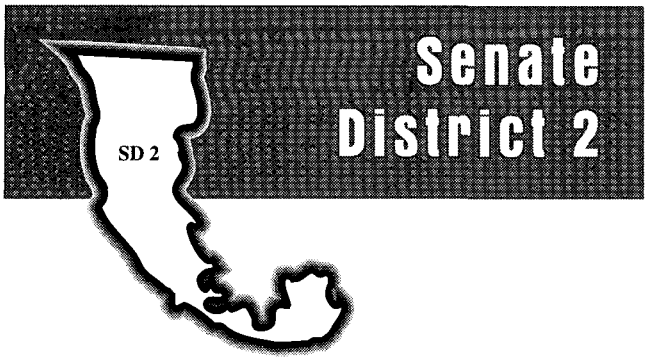
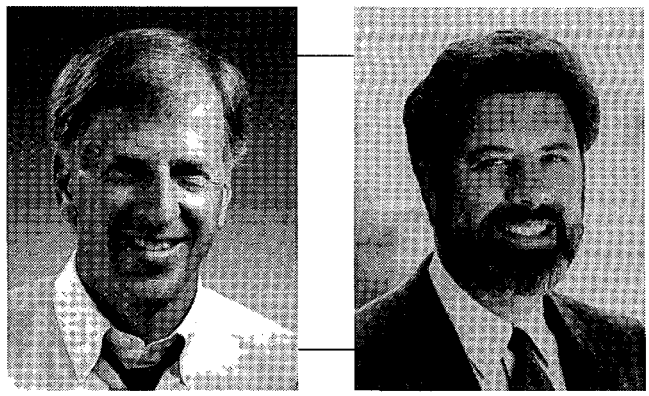




Thompson Hauser

ON ELECTION NIGHT 1992, an unexpected piece of news had nothing to do with the election: Democrat Barry Keene abruptly announced his resignation from the Legislature with two years left in his term. Keene, the Senate's majority leader, cited frustration with the system for his early exit, and he went off to head the Association for California Tort Reform.

Keene's decision posed a dilemma for one of his Senate colleagues — Democrat Mike Thompson, who represents the 4th District. Thompson, like Keene, still has two years to serve in his current term. But both the 2nd and 4th districts are left-overs from the 1982 reapportionment and will disappear in 1994, to be replaced by new districts designed in 1991 by the state Supreme Court. And therein are the horns of Mike Thompson's dilemma. Two years hence, the revamped 4th District will be none-too-safe for a Democrat. Not only that, Thompson's St. Helena home will lie in the revamped 2nd District, which is Democrat-friendly. Thompson faced the ugly choice of moving his home out of St. Helena and running in a GOP district (the new 4th) or staying put to challenge Keene for the Democratic nomination in the new 2nd District.

Keene's resignation mooted *that* dilemma, but replaced it with another: Move out of the *old* 4th District now to run for Keene's seat, or cede a golden opportunity to some other Democrat (like Assembyman Dan Hauser), who might prove tough to beat in 1994.

Thompson opted for now.

His decision was not universally praised, even by Democrats in the 2nd District. Hauser, who had designs on the seat but decided not to challenge Thompson, groused that Thompson was carpetbagging. Plus, said others, a Thompson victory would cause taxpayers to pony up for yet another special election — to fill out his term in the 4th District.

Thompson agreed that his victory would be an unfortunate expense for the taxpayers, but he said he can't be held responsible for redrawing district lines nor for Keene's early departure. Besides, he explained, over 50 percent of his current district will transfer into the new 2nd district come 1994 — including his home.

But that is then; this is now, and Thompson had to move to Vallejo temporarily to qualify as a resident of the current 2nd District.

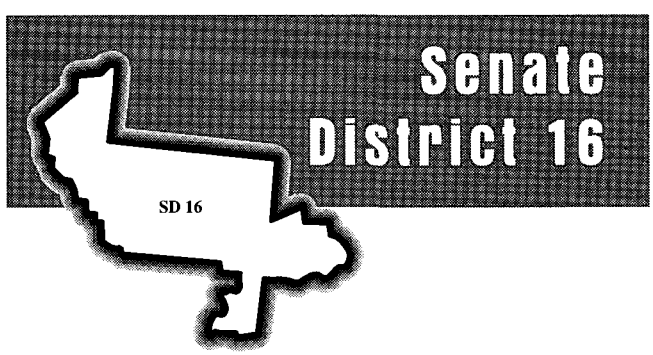
Many, including several leading Republicans from the area, thought Thompson might win the seat outright in the March 2nd primary. But despite running an aggressive campaign, he fell about 3 percent short, garnering 47 percent of the vote. He needed 50 percent to avoid the April 27th run-off. His outright victory may have been prevented by fellow Democrat Ruben Botello, who siphoned off over 4 percent of the vote.

Second place in the primary went to Republican Marge Handley of Willits, no stranger to 2nd District politics. She challenged Keene in 1990, running a credible race before losing by a 54 to 46 percent margin. Handley's 39 percent far out-distanced two other Republicans and put her into a run off with Thompson. Peace and Freedom candidate Phil Baldwin, who also will appear in the run-off, polled just under 4 percent.

Handley, a former George Deukmejian appointee to the California Transportation Commission, seems to have made Thompson the issue for the run-off, lambasting his decision to abandon the 4th District now rather than wait until the end of his term. Her campaign consultant, Herb Williams, said Handley is running because "she's had enough of professional politicians in Sacramento," and there's "a need for the business-oriented citizen legislator." Williams touts Handley's 23-year experience as a businesswoman and her position as a director of the California Small Business Association.

Baldwin, a high school teacher, has virtually no chance to win but could play the spoiler if he takes votes away from Thompson. A former Santa Cruz County supervisor, Baldwin has been endorsed by Humboldt County activists from the Green Party — who could wield some clout in a district where timber interests regularly clash with environmental concerns.

—Laura A. Locke



ONCE UPON A TIME, there was an elephant who lived in a little forest with five peanut plantations. The

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elephant loved peanuts. But the elephant knew that two years hence, three of those plantations would stop growing peanuts and start growing hay. So he decided to move to a nearby valley where there were seven peanut plantations, and they weren't going to convert to hay for at least 10 years — if ever. He moved to get the jump on competition from other elephants, who he knew also loved peanuts. But that meant no one lived in the forest. And, after all, the forest still had five peanut plantations, if only for two more years. We'll name our elephant "Don Rogers" and the little forest "Senate District 16." And that's where our story begins.

Last year, seven-term Republican Assemblyman Phil Wyman of Tehachapi was at a crossroads in his career: Should he run for yet another term in the Assembly, where he faced the brick wall of term limits in four years, or try for an open 25th Congressional District seat in the Santa Clarita and Antelope valleys, where registration favored a Republican?

Wyman, who fits comfortably within the boundaries of the GOP's right wing, took his chances on Congress, where he was thrashed in the primary by western-wear stores scion

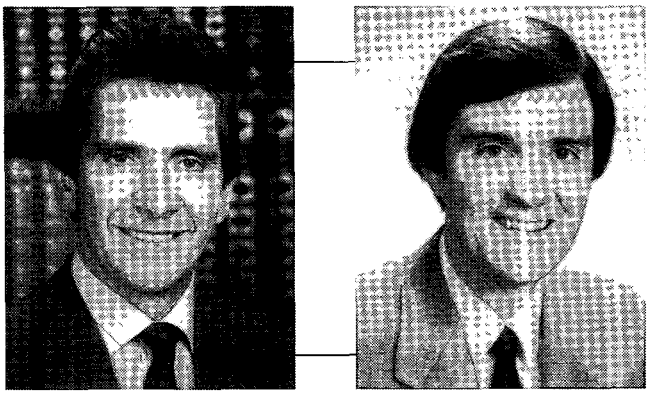
> "In special elections, you have to block-build. You go to gun owners, farmers, bankers. You don't just walk precincts"

Bud McKeon, who went on to win the seat in November. But Wyman soon was back on the campaign trail — along with five other Republicans and five Democrats — to fill the 16th Senate District seat left vacant by Don Rogers, who was elected in November to the 17th Senate District.

In its current configuration, the 16th District — covering Kern and Kings counties and northern Los Angeles and San Bernardino counties — is considered a Republican-leaning district. But the current district is a left-over from the 1982 reapportionment, and in two years, when the 1991 reapportionment kicks in, that GOP advantage will disappear. The southern portion will be lopped off, and registration will favor a Democrat — the reason Rogers left in the first place.

Some observers say that Assemblyman Jim Costa of Hanford, a Democrat who is in the run-off with Wyman and whose Assembly district makes up the western half of the *new* 16th, is positioning himself now for a more hopeful race for the Senate in 1994.

Others say that Wyman, a wealthy businessman and rancher, also is buying time. "He'd be in a district that's going to be a district from hell for a Republican in two years," said Scott Forter, political reporter for *The Bakersfield Californian*. "But let's say that [state Senator] Ken Maddy decides to hang it up in 1994," he said. Maddy represents the 14th District which, after reapportionment, will overlap a portion



Costa **Wyman**

of Wyman's old Assembly district. "Then again, maybe [GOP Assembyman] Trice Harvey could do something else." Harvey represents the 32nd Assembly District, which also overlaps portions of Wyman's old Assembly seat.

Still others say that Wyman is too conservative for even the *old,* Republican-leaning 16th District, where moderates such as Congressman Bill Thomas have held sway for years, and where the conservative-moderate rift in the Republican Party is deeply entrenched. Costa, who's known to voters here, might just get moderate Republicans to cross over to him in a run off with Wyman.

But Wyman, who represented more than half the old 16th since 1978, crashed the moderates' stronghold, stomping Bakersfield City Councilman Kevin McDermott (a pro-

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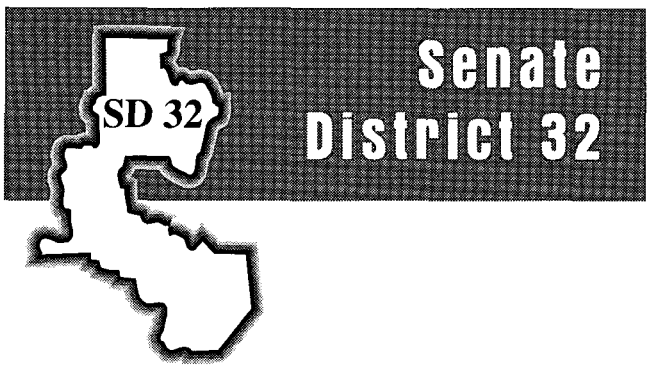
choice Republican who'd been endorsed by Thomas and his faction) 37 percent to 15 percent in the primary. McDermott's campaign "stalled" two to three weeks before the election due to Wyman's greater savvy about the peculiar dynamics of a special election, and because Wyman had more money, according to observers.

"In special elections, you have to block-build. You go to gun owners, farmers, bankers. You don't just walk precincts," according to the observer, a McDermott supporter. "McDermott's campaign used the shotgun approach. That's a signature of a novice."

— Danielle Starkey



MONEY MAKES THE WORLD GO ROUND, and elections, too — especially in Orange County's Senate District 32. No surprise that the wealthy Southern California principality once ruled by Republican Ed Royce would once again be represented by a member of the GOP. Royce left his state Senate kingdom for Congress this year, and his replacement, businessman Robert Hurtt of Garden Grove, brings both money and conservatism to the title. He'll serve the two years remaining in Royce's term.

As the only candidate to win outright in a special election primary so far this year, Hurtt received a whopping 76 percent of the vote for his first foray into elective politics. But Hurtt's no newcomer to the political scene; he's one of four conservative Southern California businessmen with ties to the evangelical Christian movement who together contributed $1.6 million to various conservative campaign coffers through the primary and general elections.

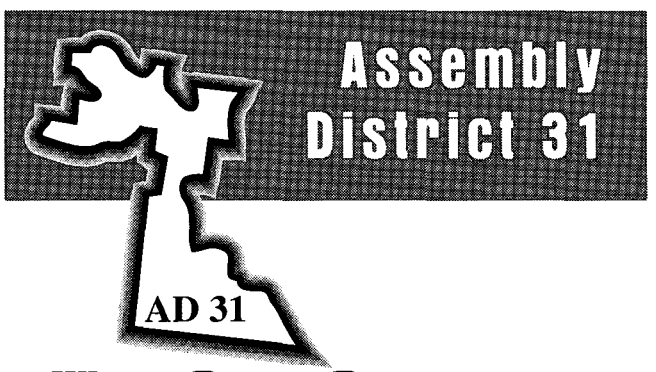
Once Royce moved to Congress, new candidates came forth to pledge their loyalty to the GOP, the conservative-

But Hurtt's no newcomer to the political scene; he's one of four conservative Southern California businessmen with ties to the evangelical Christian movement who together contributed $1.6 million to various conservative campaign coffers through the primary and general elections.

right cause, and to the campaign money that comes with both pledges. Word is that the candidates didn't quite fit the bill for Hurtt, however. Hurtt staffer Danielle Madison pointed to other candidates lack of "real-world experience" in business as the main factor. Another candidate hadn't decided whether to run or not to run when Hurtt announced his campaign, but local insiders claim that reformed-Republican Dan Young didn't have a chance to win Hurtt's blessing because Young had once pledged his loyalty to the Democratic Party. With no one who suited his standards in the running, Hurtt took it upon himself to bring the word to Sacramento and successfully traded some so his jewels and riches from his Container Supply Company for a campaign for . . . well, himself. The other less-wealthy princely wannabes backed down against the monetary power of Hurtt's campaign, which amounted to $100,000 from contributions and $250,000 from his own treasury.

Hurtt's victory was a runaway. The leading Democrat was education assistant Linda Kay Rigney from Garden Grove, who managed but 11 percent of the vote. Her loss is in direct proportion to the amount of money she raised, say local Democrats, which was practically nothing when compared with Hurtt. Other political hopefuls Ken LeBlanc, Wayman Nelson and Rick Foster each received less than six percent of the vote. Rigney and LeBlanc are holdovers from 1992; Rigney lost to Republican Curt Pringle in the 68th Assembly District while LeBlanc lost to incumbent Republican Doris Allen in the 67th Assembly District.

— Mary Beth Barber



WHEN BRUCE BRONZAN announced eight days before the November 1992 election that he was quitting his 31st Assembly District seat, he created a vacuum. Bronzan, a five-term incumbent, hadn't had an opponent — from either party — for the past two elections and probably could have served unchallenged until term limits forced him to retire in 1996. Instead, he became the first legislator to blame term limits for his decision to leave office and to seize a "wonderful opportunity" as associate dean of the UC San Francisco School of Medicine.

Bronzan's retirement drew four candidates, two Democrats and two Republicans. With district registration favoring a Democrat 61 percent to 29 percent, the Democrat who won the March 2nd election — Bronzan's former district director, Cruz Bustamante — is heavily favored to win the seat. But Bustamante, who captured 48 percent of the vote (just shy of the 50 percent required to avoid a run-off), isn't taking any chances against Fresno Supervisor Doug Vagim, his Republican opponent.

Vagim, after all, still has his job as a computer consultant. And, he's been endorsed by all the other candidates —

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Bronzan

Bustamante

Vagim

including Democrat Jacqueline Hodge, who got 12 percent of the March 2nd vote. Meanwhile Bustamante — a 40-year-old grandfather whose wife had a baby a few weeks ago and is taking a maternity leave — lost his job when Bronzan stepped down. "I tell my guys, 'Run like you're 200 votes behind,'" said Bustamante.

Vagim's odds drooped just a bit further recently when the the Fresno City Council voted unanimously to consolidate a municipal election (run-offs for two city council seats and for mayor) with the special election, a move that will save Fresno an estimated $140,000. Since election history shows that Republicans are better at turning out to vote than Democrats at special elections, anything that brings out more voters likely will favor a Democratic candidate, thus Bustamante. Bustamente charges that Vagim opposed the consolidation; Vagim says he opposed the means by which it was achieved.

"It's incredible to think someone who wants to be a public servant doesn't want to save money and doesn't want people to vote," said Bustamante.

Vagim counters: "It was *his* boss who decided to resign when he decided to resign [forcing taxpayers to pay for a special election]. I'm not opposed to consolidation; but I object to the way it was done, at the 11th hour. I objected because some of the city council [candidates] in the run-off lost a week of campaigning, which can be like an eternity in their campaign."

Bustamante, who has spent the past 10 years of his professional life as a staff aide to Democratic politicians (five years for Congressman Richard Lehman, and five years for Bronzan), has had his own distractions. For example, he's been scrapping in the newspapers with Hodge, a 60-year-old former superintendent of the West Fresno school district and president of the Black Political Council of Fresno. Hodge had asked both Bustamante and Vagim to sign a list of "Twenty Items of Need" before she decided which candidate she would endorse. Vagim agreed to sign the document (which included pledges to work for such things as reducing the deficit) and Bustamante refused, so she endorsed the Republican.

"I felt that, as a personal policy, I would not buckle to pressure tactics," said Bustamante. "If I start signing contracts this early, where does it stop? Next, the trial lawyers will want me to sign a document."

Vagim said he supported the document because it represented bi-partisan, community concerns. He said that as supervisor, he also worked hard to forge compromises, an effort that apparently paid off when he ran unopposed for his second term.

"I think it would be very difficult for Vagim to win without any substantial help from the party, and he hasn't gotten it so far," said *The Fresno Bee* political reporter Jim Boren. Another observer predicted that the Republicans are saving their money for a 1994 attempt to knock off first-term Democrat Margaret Snyder of Modesto in the 25th Assembly District, where registration is 49 percent Democrat, 41 percent Republican — a registration break-down that typically favors the GOP.

— *Danielle Starkey*

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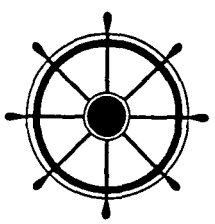

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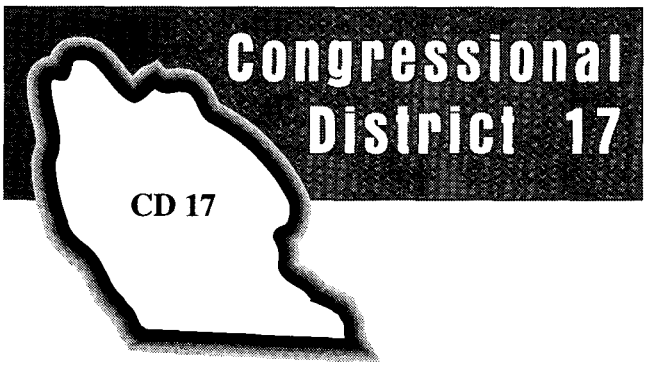

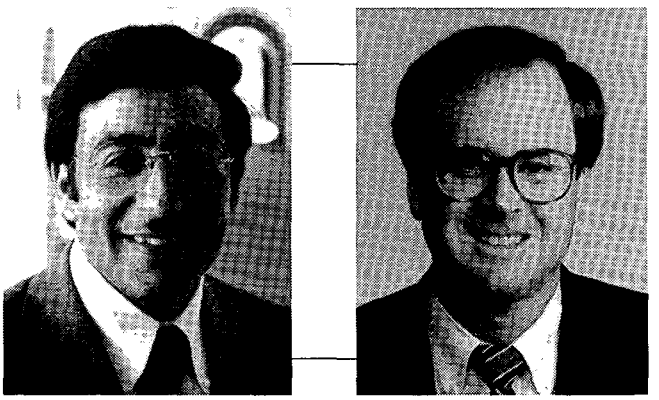

Panetta Farr

DEMOCRAT LEON PANETTA had represented the Monterey-Carmel-Santa Cruz area in Congress for such a long time — and so successfully — that no area politician in his or her right mind ever thought of mounting a serious challenge to him. People along that part of the central California coast simply thought that Panetta would go on and on and on until he decided on his own to retire.

But that was before Bill Clinton got himself elected president and decided that Panetta, chairman of the powerful House Budget Committee, would fit just fine as director of the Office of Management and Budget.

Exit Leon Panetta.

Enter — Panetta wife, Sylvia?

Soon after Leon Panetta was nominated by Clinton to head up OMB, it was rumored that Sylvia Panetta might try to succeed her husband in Congress. After all, speculators mused, Leon and Sylvia were a team, with Sylvia having served as Leon's district chief of staff for years. She knew the district better than anyone. But Sylvia declined to run.

☛ But Farr does not have the election locked up. To win outright, he'll need 50 percent of the vote, a daunting task for any politician in a field of 26 candidates.

Exit Sylvia Panetta.

Enter about four trillion wanna-bes.

Well, maybe not four trillion. Maybe only 26. But 26 candidates makes for a huge field for the April 13th special election. Voter turnout is expected to be low, and in a short eight-week campaign, the early edge goes to Democratic Assemblyman Sam Farr. Farr has represented the area as a Santa Cruz County supervisor and, since 1980, as a legislator. During that time, he's won election after election by running comfortably ahead of Democratic registration. He also is the son of former Senator Fred Farr, so the family is well known throughout the district. In addition, he's gained endorsements from U.S. Senators Dianne Feinstein and Barbara Boxer, and from the state Democratic Party — a move which caused other Democratic hopefuls to cry foul.

But Farr does not have the election locked up. To win outright, he'll need 50 percent of the vote, a daunting task for any politician in a field of 26 candidates. (If no one comes up with half the votes, a run-off will be held between the top vote-getters in each party on June 8th.) With district registration at 60 percent Democratic, the top Democrat likely will win the run off.

Meanwhile, others on the slate are jockeying hard for position and a little air time. One candidate, Edwin Frey, even appeared at a political function wearing a disguise and speaking in a false German accent.

Despite the slim chances of a Republican winning the seat, at least five Republicans chose to run. Bill McCampbell, who lost to Panetta last November, is joined on the ballot by businessman Stephen Henderson, probation officer Carl Cieslikoski, attorney Bob Ernst, and Santa Cruz County Farm Bureau executive director Jess Brown. McCampbell is thought to be able to gain the most votes, but after his overwhelming defeat to Panetta (he only received 24 percent last November), Republican Party insiders won't speculate on who their party's nominee might be.

Among other Democrats, Monterey County Supervisor Barbara Shipnuck is a leading contender against Farr. She is trying to paint herself to the right of Farr to take advantage of lingering anti-incumbent sentiment among voters and to position herself as a centrist during a recession. She's also branded Farr a "career politician" rather than someone working with the people in the district.

Other Democrats include Seaside Mayor Lance McClair, businessman and engineer Martin Vonnegut, Salinas teacher Kyle Samuels, and attorneys Bill Monning and Frey. McClair, the only African-American running, is expected to run well in Seaside.

Vonnegut, kin of author Kurt, challenged incumbent Democratic state Senator Henry Mello in the June 1992 primary, gathering in a respectable 42 percent of the vote against a long-time legislator. He, too, says he's to the right of Farr.

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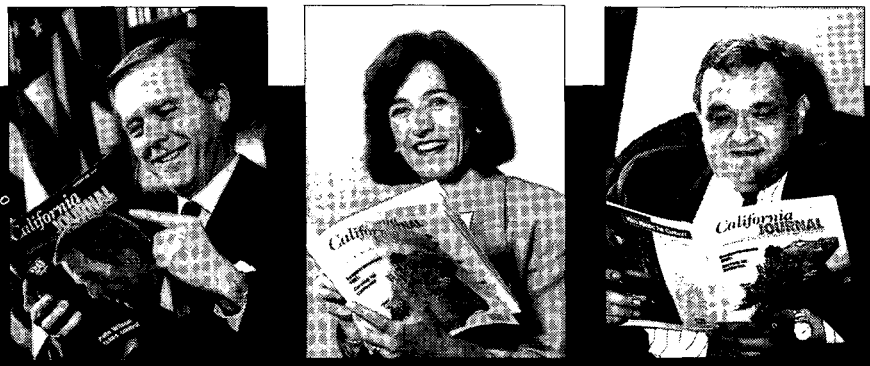

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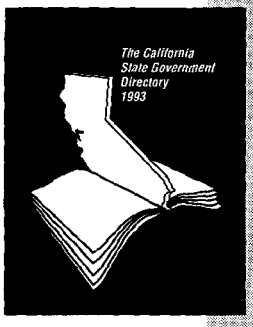

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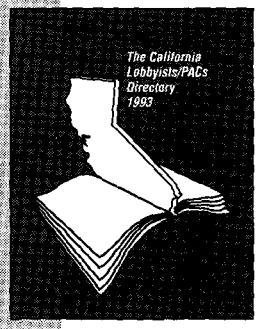

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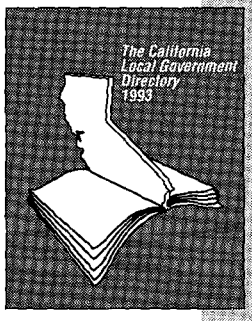

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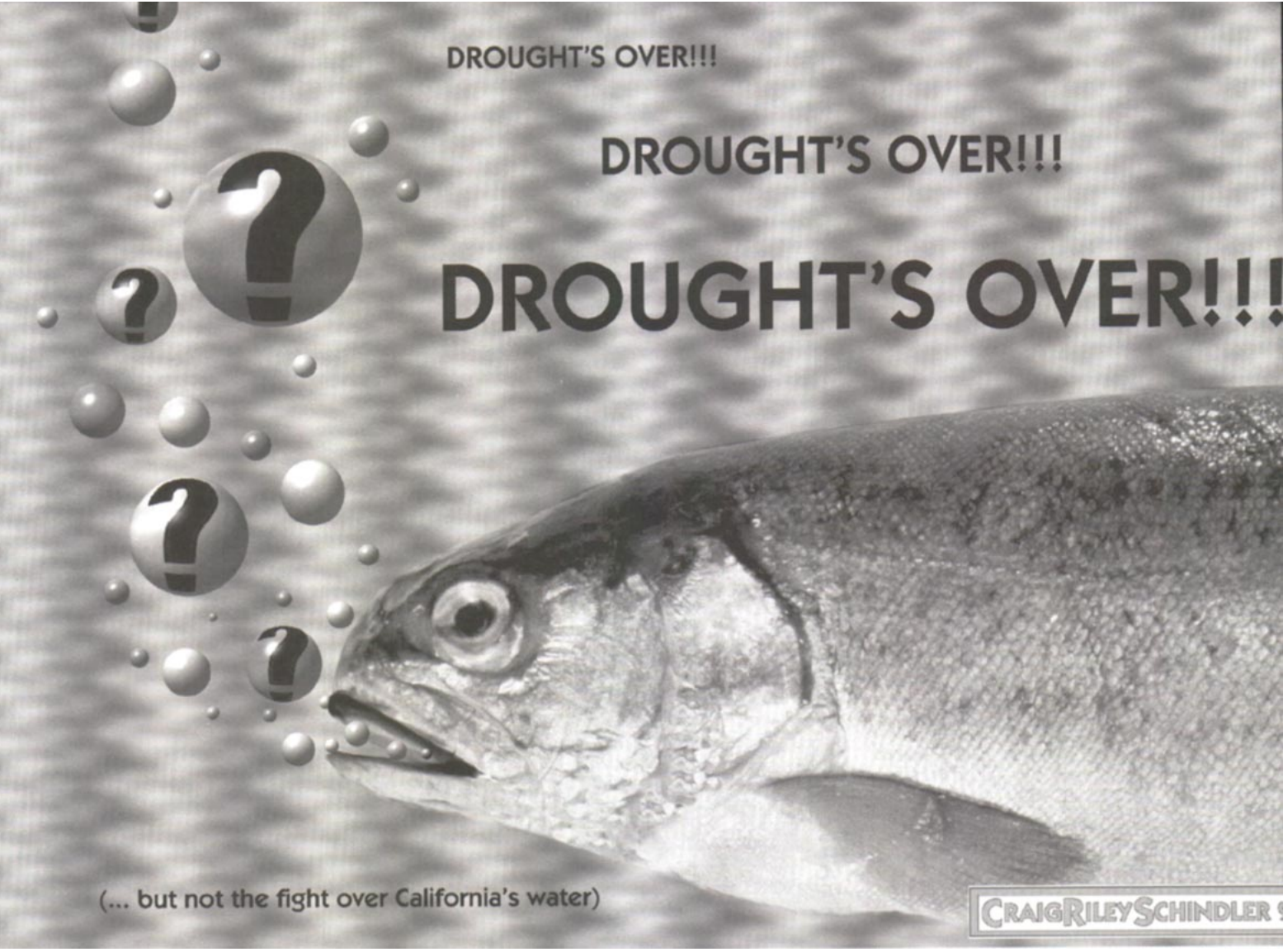

illustration by Craig Schindler

By Dan Carson

Raindrops pelted the windshield of Jason Peltier's car, and the news announcer on the radio spoke of more to come. But for Peltier, manager of the Central Valley Project Water Association, the apparent break in the drought was an illusion for his group of irrigation farmers. Just as the skies were finally letting loose with heavy rain and snowfall that eventually would put an end to California's severe six-year drought, along came a rapid series of man-made events, to Peltier's dismay, to guarantee that his farmers will get less water now and probably forever.

Ending decades of stalemate and inertia, the rules of the game for divvying up California's precious water supply changed dramatically in the space of a mere six weeks.

First, on the eve of the 1992 presidential election, Congress passed and President George Bush signed a landmark law overhauling the way the huge Central Valley Project is operated.

Then, on November 3, 1992, the American public turned out Bush and elected Bill Clinton, who promptly began putting environmental activists in key spots where they may exercise a profound influence on California water policy at a critical moment.

Finally, on December 10, 1992, the state Water Resources Control Board announced its plan to implement new and tougher standards to protect the environment of the Sacramento-San Joaquin Delta that would signficantly restrict southward exports of water. Worse yet, from the standpoint of critics, the proposal had the blessing of the

Dan Carson is a freelance writer from Sacramento.

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administration of Governor Pete Wilson. To a water-export industry long dependent on cheap and easy pumping of Delta flows southward, it was a stunning triple-whammy.

Asked how members of his group were taking the news, Peltier remarked: "We're still trying to pick up the heartbeat on the monitor. There's a level of numbness I really can't describe. It's devastating for them."

"It's a revolution," said George Baumli, general manager of State Water Contractors. "All of the traditional criteria for operation of water projects have been thrown out the window. Projects are going to have to operate on a completely different basis if these decisions stand."

As far as environmentalists are concerned, the shake-up in water allocation comes none too soon.

"This is a fundamental change and a necessary change," declared John Krautkraemer, an attorney for the Environmental Defense Fund. "It's not 1930 anymore. It's the 1990s. The water needs of the state have changed dramatically."

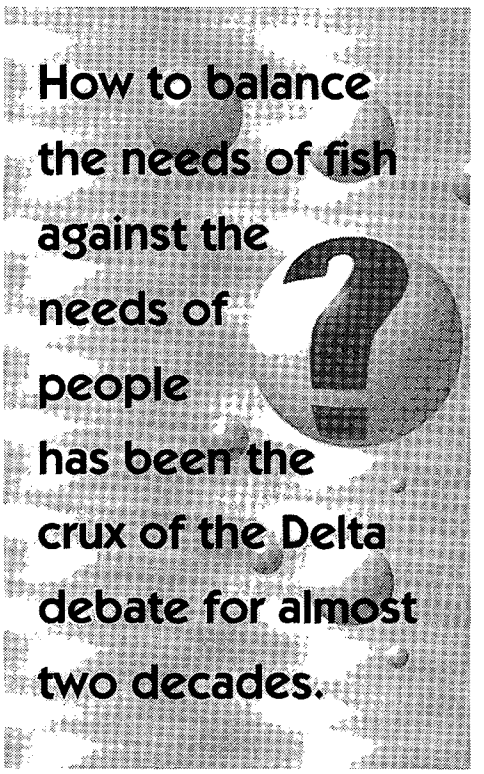
The seemingly sudden shift in policy actually follows decades of intense political, legal and bureaucratic infighting focused on the 738,000-acre Delta, where several Northern California rivers — as well as competing urban, agricultural and environmental water interests — all converge. The Delta is the source of about two-thirds of the state's water, including supplies for Central Valley farmers and the sprawling metropolises of Southern California. In an average year, about seven million acre feet of water have been delivered to two huge reservoir and aqueduct systems known as the State Water Project and the Central Valley Project. An acre foot — the amount of water it takes to cover one acre of ground, one foot deep — is about 326,000 gallons, enough for a family of five for a year.

But this massive diversion of water is being blamed for the wholesale destruction of Delta fishery resources.

The state water board's analysis describes the Delta estuary as being "in a state of decline." About 100,000 adult salmon made the fall run up the Sacramento River in the 1960s, but only 50,000 are estimated to have done so in 1991. The Delta smelt population suffered an 80 percent decline below its historical count. Striped bass, estimated to number about three million in the early 1960s, were put at one-sixth of that in 1990. Shrimp, white catfish and other fish species have also diminished.

Although some water contractors still dispute the findings, the state board concluded that "the declines in fish populations relate strongly to the location, method and timing of diversions of water from and upstream of the Delta." Reverse flows of Delta rivers caused by ill-timed and heavy pumping by the water projects played a major role in decimating fish, the board found.

How to balance the needs of fish against the needs of people has been the crux of the Delta debate for almost two decades.



In 1978 the state water board adopted regulations to protect Delta water quality and resources. But environmentalists challenged the rules, saying they were inadequate to offset past degradation of the Delta and San Francisco Bay. In 1986 they won their case in a state appellate court. The board was ordered to upgrade protection for Delta resources even if such protection diminished the water rights of existing users.

The board's first try at writing new standards in 1988 triggered a rebellion among water contractors. The short-lived plan would have capped southward exports from the Delta at 1985 levels at least through the year 2010. In dry periods, as much as one-fourth of Delta flows — a quarter of the entire supply — would have been reserved to protect the fisheries. The board backed off and has been working — critics say at a snail's pace — to put new, permanent Delta standards in place ever since.

The continuing environmental controversy has frustrated efforts by water contractors to construct improved water supply facilities to keep pace with a state population that has been booming, recession or not, by about 600,000 persons a year.

In June 1982 voters shot down the Peripheral Canal, a 43-mile channel that would have skirted the eastern edge of the Delta. Two years later, the Legislature throttled what environmentalists derided as "Duke's ditch," a proposal by then-Governor George Deukmejian to widen and strengthen Delta channels so they could carry more water south. New and bigger pumps were built on the southern edge of the Delta, but the federal permit for their construction limits their use until a way is found to remedy the Delta's environmental problems.

As state officials dithered about what to do, federal authorities, under legal prodding from groups like the Environmental Defense Fund, grew increasingly impatient about the deteriorating conditions for Delta wildlife. The U.S. Environmental Protection Agency eventually issued an ultimatum to the state water board: Enact stringent Delta protection standards by the end of 1992 or we will do the job for you.

Governor Wilson responded with an April 6, 1992, speech calling upon the state water board to enact "emergency" regulations that could satisfy the EPA until a permanent "fix" for the Delta's myriad problems could be determined through a three-year environmental study. The board acceded to Wilson's wish, issuing its draft Decision 1630 in December after six months of hearings and scheduling a March 1, 1993, meeting for formal adoption. Marc Del Piero, a Wilson appointee to the board, called the five-year temporary plan "a balanced, fair and necessary proposal to protect all of the beneficial uses of water in California."

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Alluding to the threat of EPA action, Del Piero said Decision 1630 would "go a long way toward ensuring that the control of our water supply remains with California."

Among the key points in the document:

- The two massive water projects will be required to shift their pumping almost exclusively to late fall and early winter and to reduce pumping in other months when fish are migrating. Sixty-five other agencies that divert Northern California river water, including those supplying many San Francisco Bay Area customers, would also have to release water from their dams at key points of the year to help replenish fish populations.
- Large water diverters will be assessed $60 million a year — $300 million in all — to build facilities to protect fish from the pumps, restock the Delta to replenish threatened species, and fund other environmental projects. The fees will range from $5 to $10 per acre foot of water taken.
- A voluntary agreement by urban water districts to conserve supplies will be made mandatory. Water-saving toilets and other plumbing fixtures, pricing that penalizes large consumers, and water meters — policies already being adopted by larger districts — would become universal. Farmers in the western San Joaquin Valley would have to restrict their use of irrigation water to flush out salts in their soil that could damage crops.

The board calculated that, in a typical year, its rules would reduce the amount of water available for export from the Delta by 800,000 acre feet. In wet years, exports would suffer much less. In dry years, the export reductions could hit 1.9 million acre feet annually, the board said.

Del Piero stressed that the board's action dovetails with the new federal legislation overhauling operations of the Central Valley Project — revisions widely viewed as benefiting urban and environmental interests at the expense of the project's long-established agricultural customers.

While the board's Decision 1630 was viewed as an inevitable result of federal government pressure and prior court rulings, the enactment of HR 429 came as a rude shock to Central Valley agribusiness. The act is the brainchild of Democratic Congressman George Miller of Pleasant Hill, an ardent environmentalist and long-time critic of what he viewed as wasteful federal subsidies of corporate farmers in the Central Valley.

Agricultural interests had lined up behind a rival bill sponsored by then-U.S. Senator John Seymour, a Republican from Anaheim. While Seymour's bill was going nowhere fast, the odds seemed good that the Republican president would veto Miller's alternative.

But as the influential chairman of the House Interior Committee, Miller pulled a master stroke — loading his Central Valley Project reform package into an omnibus bill containing a dozen popular dam construction projects in other states. Bush, caught in a desperate re-election fight, signed the measure despite pleas for a veto from Seymour, Wilson and agribusiness.

HR 429 mandates the dedication of 600,000 to 800,000 acre feet of Central Valley Project water each year for fish and wildlife purposes. That water comes off the top — no matter how much farmers demand or how severe a drought

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situation. The fish will come first. The measures also take the unprecedented step of permitting outsiders to purchase supplies from parties holding Central Valley Project water rights. The state experimented with pooled purchases of water to help cope with the drought. HR 429 instantly created, at least on paper, a major new water marketplace with even fewer strings attached. For instance, the giant Metropolitan Water District, which joined forces with environmentalists to secure passage of the Miller bill, is said to be eyeing purchases of as much as 500,000 acre feet from Central Valley Project suppliers in order to meet the future needs of its urban customers.

Water agencies find themselves divided over these developments mainly along urban vs. rural lines. "The industry is split pretty badly," said one longtime water lobbyist.

While some individuals might profit handily from such transactions, many farm-area water districts fear a massive shift of water from agriculture to the cities will inevitably result as supplies tighten and bidding wars ensue. Some farmers now get water for $5 an acre foot and could hardly pay the $150 an acre foot or more — sometimes much more — that urban water districts can afford, they say. Whether the farmers can afford the $5 to $10 per acre foot charges levied by the state board is still another issue.

Peltier said the policy changes are already making life difficult for farmers. "Here we are today, with good storms, halfway through the rainy season, and we can't get a straight answer [on supply] from any [water] project operator," griped Peltier. "Just because it's raining doesn't mean anything. We've got all these new factors to deal with."

Peltier said California will eventually lose — through damage to its $18-billion-a-year agricultural economy and through higher food prices. "This is so big, and yet nobody seems to know it," he said. Peltier, for one, is betting that one water group or another will file suit to try to block implementation of the new state rules.

Urban water contractors are overjoyed that they now have a better shot at wresting away some of the huge share of California water now devoted to farming. But with Colorado River and Owens Valley water supplies dwindling, they are uneasy about whether the new Delta rules will allow them to secure the supplies needed to keep pace with their persistent population growth. A Wilson-appointed task force concluded last year that the state's demand for water will outstrip its supply by at least four million to six million acre feet by the year 2010.

Environmentalists contend that the recent changes in water policy, if anything, fail to go far enough. They argue there will be plenty of water to go around — without building any new dams or canals — if wasteful agricultural irrigation practices were ended, less water-consuming crops planted, and supplies allocated by market mechanisms such as those contained in HR 429.

"What has happened," said Krautkraemer, "is that the drought has focused people's attention on water and highlighted the inequities in allocation. It has pushed the changes we need to make water available on a more equitable basis

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cjWeekly

April 19, 1993

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to all people in this state."

All this may just be the beginning because of the outcome of the November presidential election.

President Clinton's choice of U.S. Senator Al Gore of Tennessee as his running mate gave his campaign a strong environmentalist flavor. The appointments of Bruce Babbitt as secretary of Interior and Carol Browner as director of the Environmental Protection Agency are being viewed by many as an indication that the Clinton administration will insist on stronger environmental protection of the Delta at the expense, if need be, of agricultural supplies.

As governor of Arizona, Babbitt pushed through what is regarded as the strongest groundwater management act in the nation. He has favored breaking agriculture's stranglehold on Central Arizona Project water to permit sales to urban areas and to Native American reservations. At the time of his appointment, Babbitt was president of the League of Conservation Voters and a practicing environmental lawyer.

Browner, a Gore protege who once worked on his senatorial staff, gave up her position as chief of Florida's Department of Environmental Regulation to work for Clinton. In Florida, her claim to fame is her role in securing a clean-up of agricultural runoff into the Everglades. Environmentalists cheered the agreement. Area sugar farmers say the task could cost more than $1 billion, take 35,000 acres out of production and eliminate 16,000 jobs.

A group of water specialists with Clinton connections (known informally as the Long's Peak group for a meeting they held near Long's Peak in Arizona in early December) is providing a list of 47 water-policy recommendations to the new administration. Topping their list is a proposal that Interior "assign a high priority' to enforcing the Miller bill and suspend any moves to turn control of the CVP over to the state of California, a step advocated by Wilson.

Clinton's choice of personnel is especially important because substantial control over California water has already been ceded to Uncle Sam. Federal officials must now write regulations to implement segments of the Miller bill. The federal government is threatening to override the state water board's Delta rules and impose its own tougher set of standards to protect the fisheries. It is likely to declare several depleted species of fish as endangered, invoking even further federal involvement in the Delta maelstrom.

Federal authorities have the power to deny permits for construction of long-sought dams or Delta facilities that could increase future water exports or to scuttle Governor Wilson's proposal for a state takeover of the Central Valley Project.

The ramifications have not been lost on Delta issue combatants.

"In my mind, I don't think there's going to be any doubt that EPA and Interior are going to be more environmentally sensitive to environmental concerns in the new administration," said Krautkraemer of the Environmental Defense Fund.

Baumli of the State Water Contractors agreed: "I think they'll probably be more sympathetic with the environmental community, if that's possible. All indications are that it's not going to be any easier for us. It's a little scary. It really is."

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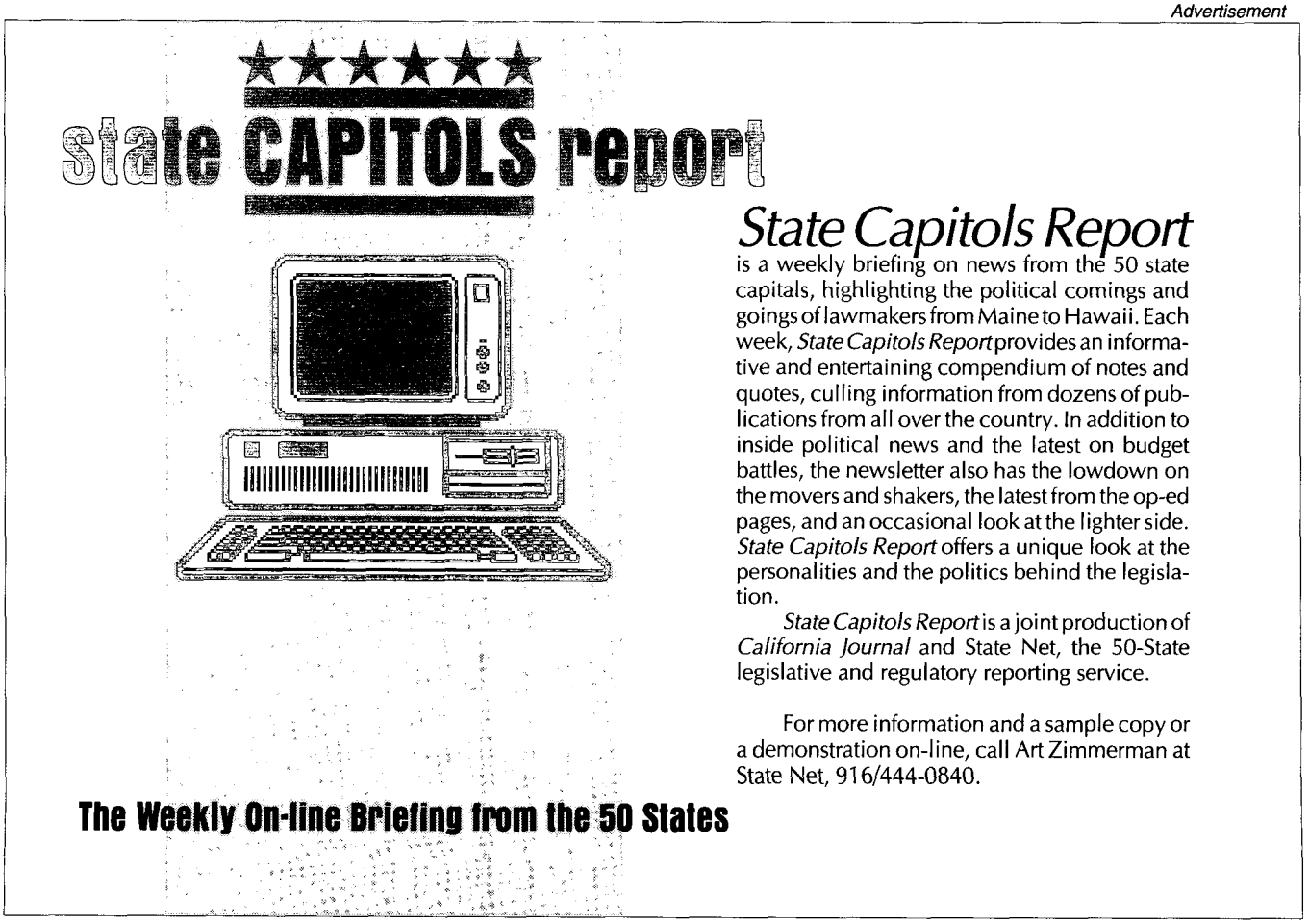
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Cla... The Propos...

By Charles M. Price

Before it ever arrived in Sacramento, the Assembly's "Class of '92" had earned a mark of distinction: It was the largest gaggle of rookie lawmakers to descend on the Capitol *en masse* since 1966 — 26, to be exact (with a 27th about to arrive thanks to a special election in Fresno).

In a typical election, about five or six new members filter out of the Assembly's 80 districts. And with barely a squad of newcomers on the scene, assimilating these few into the Assembly's archane rituals posed only minor problems for leadership. But 1992 was not exactly typical. For a variety of reasons — including anti-incumbent fever among voters, new Supreme Court-reapportioned districts, term-limits-inspired retirements and public anger over legislative scandals and deadlock — about one-third of the Assembly ended up fresh to the ways of politics, Sacramento-style.

The last time Sacramento saw anything like the Class of '92 was 26 years ago, when the 33-strong Class of '66 first wandered through Capitol halls. That election, too, came on the heels of a political revolution of sorts — a 1964 U.S. Supreme Court decision, *Reynolds v. Sims*, requiring both upper and lower houses of American state legislatures to be apportioned on the basis of population. That class was heavy with future political stars; among them Governor Pete Wilson, Secretary of State March Fong Eu, Senate President pro Tem David Roberti, Ways and Means chairman John Vasconcellos, former Los Angeles supervisor and term-limit guru

Charles Price is a professor of political science at Chico State University and a frequent contributor to California Journal.

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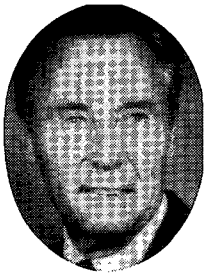
Snyder

Honeycutt


Knight

Takasugi

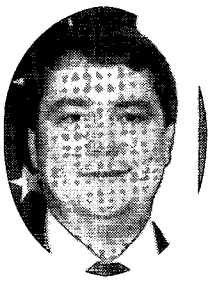
Hoge

Karnette

McDonald

Solis

Napolitano


Morrow

Goldsmith

Connolly

Bornstein

'92

140 Babies

Pete Schabarum and newly elected Los Angeles Supervisor Yvonne Brathwaite Burke.

Perhaps some members of the Class of '92 will reach the top of the political ladder, but they will have to climb using fewer rungs. For the Class of '92 is the first group of freshmen and freshwomen to be elected under Proposition 140 — the term limits initiative passed in 1990. Under that initiative, Assembly members may serve a maximum of three terms, or six years. Thus, beginning in 1996, when term limits kick in for those elected to the Assembly two years ago, some 25 to 35 new members will be elected every two years.

The Class of '92 is not unique; it's a harbinger of the future.

In some ways, the neophyte 26 are much like their veteran colleagues: Many have business backgrounds and nearly all have either attended or graduated from college. Besides business backgrounds, there is the usual legislative occupational mix of lawyers, educators and local officials.

However, in a number of other ways the Class of '92 is different than the vets. It reflects what the Assembly will look like in the near future. First, the class is divided almost equally among men and women (14 men and 12 women) and party (14 Democrats and 12 Republicans). Second, about one-fifth of the class is Latino, and for the first time in 12 years an Asian-American (Republican Nao Takasugi) has been elected to the lower house. In addition, Juanita McDonald, an African-

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Class of '92

Member	District	Party	Residence
Bernie Richter	3	Republican	Chico
Vivien Bronshvag	6	Democrat	Kentfield
Valerie Brown	7	Democrat	Sonoma
Larry Bowler	10	Republican	Elk Grove
Richard Rainey	15	Republican	Walnut Creek
Margaret Snyder	25	Democrat	Modesto
Kathleen Honeycutt	34	Republican	Hesperia
Pete Knight	36	Republican	Palmdale
Nao Takasugi	37	Republican	Oxnard
William Hoge	44	Republican	Pasadena
Louis Caldera	46	Democrat	Los Angeles
Diane Martinez	49	Democrat	Rosemead
Martha Escutia	50	Democrat	Huntington Park
Debra Bowen	53	Democrat	Marina Del Rey
Betty Karnette	54	Democrat	Long Beach
Juanita McDonald	55	Democrat	Carson
Hilda Solis	57	Democrat	El Monte
Grace Napolitano	58	Democrat	Norwalk
Fred Aguiar	61	Republican	Ontario
Joe Baca	62	Democrat	San Bernardino
Ted Weggeland	64	Republican	Riverside
Ray Haynes	66	Republican	Murrieta
Bill Morrow	73	Republican	Oceanside
Jan Goldsmith	75	Republican	Poway
Tom Connolly	77	Democrat	Lemon Grove
Julie Bornstein	80	Democrat	Palm Desert

American woman, is a member of the class. Significantly, given that any connection to the Legislature was a liability in 1992, only two new members come from legislative staff — a marked departure from the trend of recent elections when many staffers followed their bosses into seats on the floor. In addition, a larger than usual number of the new members had previously held local elective office.

As new Democrat Valerie Brown stated: "Virtually none of the new members came out of state government. They mainly come from local government, local business or community service."

Many of the newcomers are on a sort of temporary leave from family businesses — for example, Kathleen Honeycutt, Bernie Richter and Ted Weggeland. The new crop is, on average, much older than typical first-termers. Republican Assemblyman Weggeland at 29 is the youngest member, but many others are in their 40s, 50s or early 60s. The class includes a number of retirees; among them are ex-law enforcement officers Larry Bowler and Richard Rainey, ex-Air Force officer Pete Knight, former school teacher Betty Karnette, and former Ford claims agent Grace Napolitano. Finally, these appear at first blush to be commuter-legislators. None expressed immediate plans to move families to Sacramento as some career legislators have in the past.

However, the most unique aspect of the Class of '92 is that its members ran for office knowing they would have only a few terms to serve in the Assembly. Unlike Speaker Willie Brown (28 years and counting) or John Vasconcellos (26 years) these newcomers cannot become Assembly careerists. Do these new members consider politics only a temporary interlude? Are they less partisan than senior members? Will they be able to provide leadership to the Assembly in 1996? To help answer these questions, *California Journal*, well, asked the new members.

First of all, none of the newcomers said they were discouraged from running because of the six-year term limit, although a few admitted it was a factor they considered. Indeed, some said they welcomed the short stint. Because of their brief tenure, however, most newcomers expressed a strong sense of urgency.

"Voters want an end to confrontational grandstanding. They want their legislators to be problem-solvers," said Democrat Betty Karnette, who defeated veteran Republican Assemblyman Gerald Felando in November.

Republican rookie Fred Aguiar added, "This class came with the mandate that we need to get things done."

Indeed, Republican Honeycutt said she and other newcomers were appalled by the tardiness of some of the senior members for floor sessions and committee hearings. "One of the things we [frosh] are doing is coming on time for our meetings. If some of these guys [veterans] were in the business world, they would have been fired long ago for showing up late so often. There is no excuse for this," said Honeycutt.

Republican Ray Haynes argued that since time is short, members of his class are more likely to do what they think is right rather than calculate votes on the basis of getting re-elected. "Whether you serve four years or six years in the Assembly, who cares? Getting re-elected to the same office becomes less important. Term limits changes your focus to concerns about public policy."

When it comes to declaring politics a career, most of the new members consider their stint in the Capitol as temporary. None of the 26 saw politics as a new life, although a pair of Republicans and nine of the Democrats reserved the right to change their minds. Most said they expected to return to their districts after a few terms.

"I don't see myself as a politician because, quite honestly, politics is trying to please all sides," said Valerie Brown. "I'm not that kind of person."

Takagusi, who is in his 70s, said, "At my age, I didn't come up here to be a career politician."

"The people elected under Proposition 140 don't have a pension system or retirement plan," said Democrat Tom Connolly. "So, we must go back to the communities that we come from and live within the rules that we established here."

Connolly felt strongly that new members would have to guard against being swept up by the glamour of the job. "An amazing seduction occurs here," he said. "When was the last time you rode an elevator where the operator knows your name? 'Morning, Assem-

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blyman Connolly!' They treat you so well here — better than in my whole life. It would be very easy to start liking this lifestyle too much."

Despite their running under a term-limit system, not all the new members are enamoured of the idea. Republicans seem to like it more, with eight of the 12 supporting the concept, two opposed and two on the cusp. Only four new Democrats support it, however, with seven opposed to term limits and three on the cusp. Nearly all thought that term limits would make members more responsive to their constituents, however.

Said Honeycutt: "I return home each weekend; I shop, go to church, and do business with people who are hurting economically. It was just yesterday that we freshmen were private citizens back in the district." The first termers, she felt, had a more acute sense of the economic problems facing average Californians.

Echoing this sentiment, Democrat Louis Caldera noted: "Much as I appreciate the talent of a lot of senior members, I realize that I've been in the `real world' more recently than they have. And, that's good. But, there are areas of legislative policy that are tremendously complex that can be learned only by experience. There is a real danger that [short-term] legislators will enact the ideas that are in vogue, but not good long-term solutions."

Republican Jan Goldsmith observed, "Right now, we have a good mix between veterans and freshmen, but this won't be the case in the future." Goldsmith worried that the power of the bureaucracy could be enhanced once term limits remove all of the veteran lawmakers.

Nearly all the members (18 of 26) agreed that term limits would have another rippling effect on the state's political system: Members of their class are more likely to challenge incumbent state senators, members of Congress and constitutional officers than were their pre-term-limits predecessors. Only one Democrat thought otherwise, while three Republicans and four Democrats weren't sure.

Thus, these freshmen think the old rule of thumb about not running against incumbents is dead. Of course, plenty of districts will come open, since all state and federal office holders from California now confront limits.

Among the newcomers, Democrats were more opinionated than the Republicans about whether or not members of the Class of '92 would jockey for power early in their careers. Seven Democrats thought it would happen, five disagreed and two wouldn't say. Among Republicans, however, only three thought it would happen, two disagreed — and seven didn't know.

Some of the freshmen thought they had discerned some jockeying within the ranks already. All were keenly aware of one inevitable fact: In all likelihood one of their classmates would be elected speaker in 1996. As Valerie Brown noted: "I'm impressed with the leadership's understanding that we [frosh] are operating within a very different time framework. We need to be prepared to take over leadership by 1996."

Not surprisingly, class distinctions began to emerge between Republicans and Democrats from day one. Democrats received better committee assignments and were assigned more imposing offices than were new Republicans. And for the most part, first-term Republicans were reconciled to these political rules of the game.

"I don't care if they want to stick me in a tiny office," said Republican Richter. "As long as I have a desk, a filing cabinet and a secretary, I'll be able to do my work."

Takasugi, on the other hand, was pleased with his treatment. "I can't kick about my committee and office assignments," he said. "They all tell me, 'Hey, you're a freshman — and a Republican to boot — and you've got windows!'"

But some rookie Republicans were not so sanguine about the disparity of treatment, and this has made them wary of forging an alliance with the Democratic frosh.

One of the most dramatic incidents for the new members came during their orientation when they were informed that because of Proposition 140 budget constraints, each would receive $25,000 less for office expenses than would veterans. The announcement caused considerable consternation and confusion within newcomer ranks, and Republican and Democratic frosh saw things differently.

"One of the things that's going to have to stop is not treating members equally," fumed Republican Bowler. "We all said, 'This isn't right. We all represent the same number of people. To cut our budgets makes us second-class assemblymen and our constituents second-class voters.'"

To quell an incipient rebellion, Assembly Rules Committee Chairman John Burton was called in to talk to the necomers. According to Bowler, "Burton went into a control mode around the perimeter of the room, bad-eyeing all the Democrats and threatening them."

Subsequently, the new Democrats were called to the speaker's office, and all 14 were later chosen as vice chairs of committees (one new Republican, Richard Rainey, also was selected as a vice chair).

GOP frosh were not amused. As Republican Ray Haynes noted: "The leadership doesn't give a rat's tail about the freshmen. They have lined their pockets at our expense. They have hurt our constituents because they want to maintain their staffs. That's outrageous. The freshmen in the majority party did nothing about it. They were afraid of their own leadership. Of course, they got paid off for doing it. They got the vice chairmanships and extra staff

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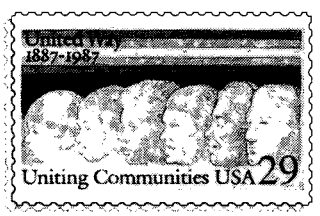

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through backfilling, and they stepped on Republican freshmen. We got kicked in the teeth by the majority leadership. Then they say, 'Gee whiz, why don't you like us?'"

In the end, say Republicans, rookie Democrats bailed on them by not attending the newcomer protest meeting.

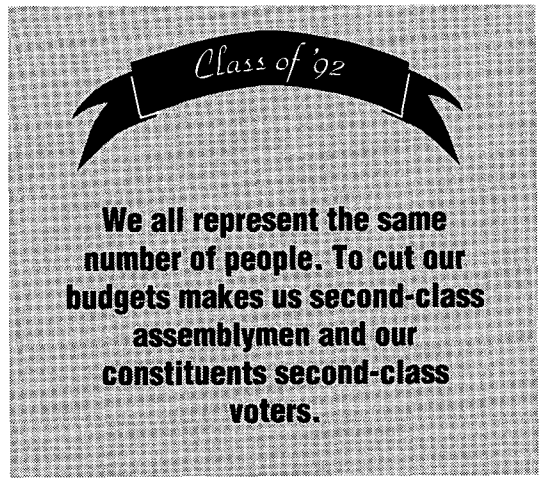
"We had a real chance there to impact the Assembly and we blew it," said Bowler. "In my heart, I hope that sometime in the future we will be able to work closely with the freshmen Democrats."

From the GOP point of view, although all newcomer budgets were cut, the reductions affected mainly new Republicans because Democratic staffs could be supplemented via their vice chairmanships.

Not surprinsingly, Democrats see the incident differently. Valerie Brown said that Speaker Brown's intent in naming the new Democrats as vice chairs was to accelerate the newcomers' learning and get them up to speed as rapidly as possible.

"It was a recognition upon leadership's part that in a few short years [the new members] have to be ready to run the Assembly." In a similar vein, Democrat Vivien Bronshvag noted, "There's been an effort to train and prepare us unlike any previous new class."

"The leadership has been holding our feet to the fire from the beginning," said Democrat Margaret Snyder. "When was the last time you heard of a freshman being selected a vice chair? This was well thought out by leadership."


Class of '92
We all represent the same number of people. To cut our budgets makes us second-class assemblymen and our constituents second-class voters.

And, according to Martha Escutia, who heads the Democrats' freshman caucus, Speaker Brown insisted that new Republicans be included in all orientations.

"One of the things I planned for new members was a mock [floor] session — it was great. The speaker encouraged me to include Republicans from the beginning. If he had wanted to be partisan about it, he could have excluded them. After all, knowing the rules of the game helps you to win."

New Democrats were also more sympathetic with the leadership's explanation for the need to cut new members' office budgets. "I could understand the rationale for having first-termers receive less in office budget funds," said Democrat Julie Bornstein. "It was easier to cut us because we hadn't hired our staff." Refuting GOP claims that the vice chairmanships helped provide extra staff, Bornstein said, "None of us have received any extra staff because of our vice chairmanships."

Finally, Democrat Joe Baca argued that it was the Republicans who fired the first partisan shot in the 1993 session. "I thought the speakership election would be the time for everyone to get together and show bipartisan spirit," he said. "The Republicans initially didn't even have a candidate in mind. Their vote for [Minority Leader Jim] Brulte was just a protest vote. That's not cooperation."

Thus far, there still is no active, formally functioning, new members' caucus. Still, even though there has been some tension, most newcomers feel a bond of kinship with their classmates. Moreover, the size of their class gives them some leverage.

Democrat Margaret Snyder said that friendship inevitably develops among newcomers as they attend orientation and other "get acquainted" meetings. "There is a comaradarie among the new members that develops — regardless of party. We all share the same common experiences — laughing together, trying to find rooms at the Capitol."

Caldera added, "Our relationship with freshmen Republicans is like a blind date; there's a lot of checking out going on. Who's open? Level-headed? Good, decent folks?"

"I don't have any doubt that we will be more than willing to make independent choices and not follow our parties' lock-step," said Valerie Brown, a notion echoed by Republican Rainey.

"I've found that when we get together with the Democratic freshmen we have a lot in common," he said. "We're in agreement on about 85 percent of the issues. I think we are going to make an impact."

Perhaps it is expecting too much to believe that 26 rookies will become something like a new "Gang of 26" and seriously challenge their respective leaderships in the first weeks of the session. After all, they have just barely completed their orientation. They are, first and foremost, Republicans and Democrats, not first-termers.

To their credit, the Assembly frosh have successfully pressured their more senior colleagues into greater punctuality, and this is a good symbolic first step. However, major changes in the way the Assembly operates probably won't come for a year or two, or until the seniors depart.

As Democratic rookie Caldera observed: "Any institution resists change. It's natural. When the seniors are gone, it will be easier to take on some of the sacred cows."

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CALIFORNIA'S BUDGET DANCE:
ISSUES AND PROCESS

By Richard Krolak

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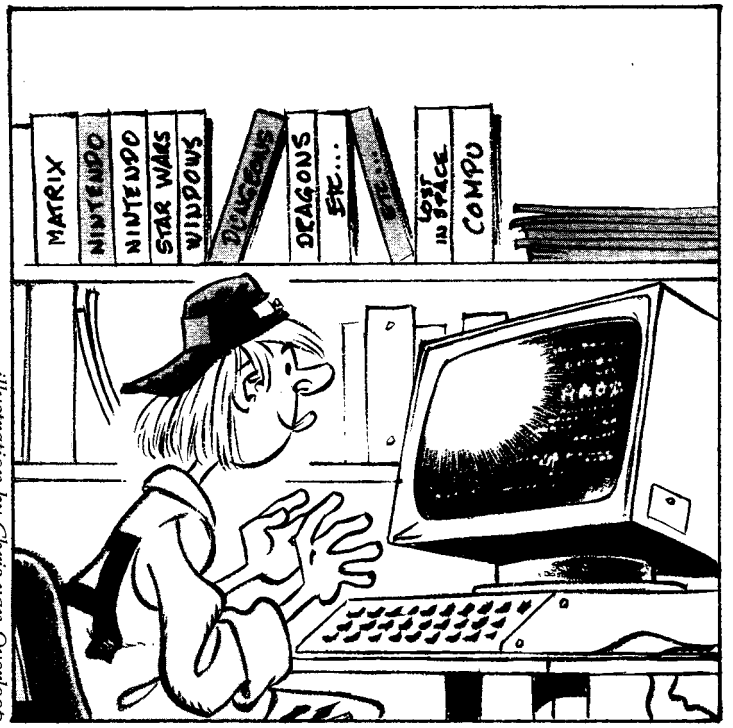
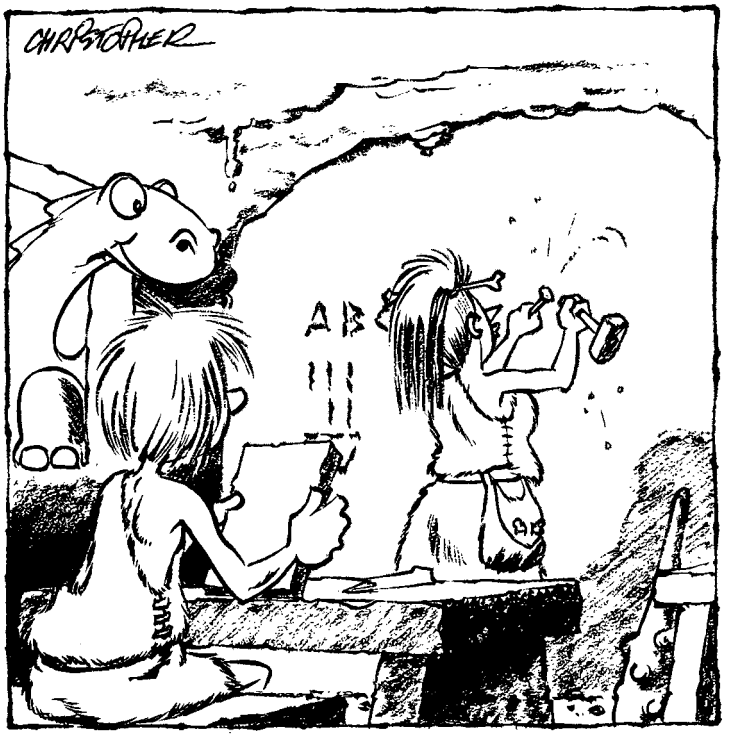


JOHNNY AT HOME



JOHNNY AT SCHOOL

illustration by Chris van Overloop

By Laura A. Locke

California may be the home of 21st Century "multimedia," but its schools still operate in the STONE AGE.

Imagine that you are a typical teenager, sitting in a high-school English class, preparing for your first foray into the murky, often arcane world of William Shakespeare. In days of yore, that might have meant groping through a small playbook with the text of "Julius Caesar," or listening to the teacher lecture on Shakespeare's life, or watching Mel Gibson grunt and sweat his way through Hollywood's version of "Hamlet."

Imagine instead that you are perched in front of a computer monitor. Click on a mouse, and the opening stanzas of "Henry V" blip onto the screen. Click again, and a photograph of The Chorus appears; or perhaps a click brings a tape of Alistair Cooke explaining the Battle of Agincourt and the real history of the play's characters; or "William Shakespeare" himself telling about his life and times, complete with the sights and sounds of Elizabethan England. A double-click might turn the screen into an artist's canvas where you can create an entire array of costumes or design vast stage sets. Imagine being able to create a visual "essay" by combining excerpts of text, maps of northern France, portraits of the Duke of York and a snippet of Laurence Olivier delivering Prince Hal's "St. Crispin's Day" exhortation to the troops.

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of multimedia are already revolutionizing the traditional classroom, threatening to make chalkboards obsolete and fundamentally change the way teachers teach and students learn.

But not in California. In California, it's still a matter of how. How will this new educational tool be defined, applied and integrated into the state's classrooms?

Although individual schools have made technological advances, California as a whole trails other states' efforts to adopt a comprehensive, coordinated statewide plan for educational technology. Only during the past year has the state reversed its seemingly complacent, uneven approach to educational technology.

In April 1992 the State Master Plan for Educational Technology was unveiled, and in September, Governor Pete Wilson signed SB 1510, which earmarked $13 million to fund technology in the schools. Despite this infusion of seed money, education experts protest that the state has not made the investment to adequately prepare its students for the information age.

California might as well be in the stone tablet era, said Delaine Eastin, the Fremont Democrat who chairs the Assembly Education Committee. "As a governance body, we aren't very advanced in our appreciation of the power of information systems. It really is amazing how backward most of the people making public policy are when it comes to this technology," she said.

How ironic that in a state where multimedia production is rampant in the private sector, California's public sector lags behind other states when it comes to integrating multimedia into schools. Computer manufacturing giants such as Apple, Sun Microsystems, and Hewlett-Packard are headquartered in Silicon Valley — the state's hi-tech capital. California produces nearly half of the computers made in America, yet the state's students have one of the lowest accessibilities to computers in the nation. In fact, California ranks 44th out of the 50 states in terms of computers per student.

According to Quality Education Data, a Colorado marketing-data firm that specializes in education, 69 percent of school districts in the United States own CD-ROM players and over 50 percent of the districts own laserdisc players, compared with only 30 percent in 1988. Mark Sektnan, principal consultant to Eastin's Education Committee, highlights the fact that Kentucky spends $50 million annually on educational technology in a state with a population of three million people, while California only spends $13 million in a state with 32 million.

In 1990 both Florida and Texas made significant advances in developing educational technology by instigating joint ventures between their state departments of education and private industry. Texas became the first state to approve textbook funds to purchase interactive videodiscs. Within a few months after the decision, more than 65 percent of Texas' elementary schools bought "Windows On Science," a videodisc made by Optical Data Corporation.

Florida Commissioner of Education Betty Castor made the commitment to provide an interactive AIDS videodisc to every junior and senior high school in Florida and bought 2500 videodisc players for the state's schools. Created by ABC Interactive, a division of ABC News, the AIDS videodisc provides sensitive health information to students in a quick, short, convenient format that eases the teacher's responsibility of teaching a highly sensitive subject, said Margo Nanny, an independent Bay Area multimedia producer specializing in education. Students are able to see the AIDS quilt unfurled in Washington, D.C., listen to medical advice from former Surgeon General C. Everett Koop concerning the transmission of AIDS, and hear drug addicts explain why they shoot up with dirty needles.

In California, private industry is setting the agenda, although the state has entered into partnerships with several multimedia producers and completed four programs to date. Apple, IBM, the National Geographic Society, Philips, Pioneer and LucasArts are investing heavily in multimedia computing applications. These companies are rushing to develop the products that they envision will eventually be adopted in schools across the country.

Despite all the frenetic activity surrounding multimedia production, there is a lot of confusion surrounding the buzzword "multimedia." Multimedia that exists in the marketplace, for instance, differs from what most California schools can afford. In the past, the state has simply defined multimedia as phones, VCRs and computers. Private industry, on the other hand, usually defines it as something much more sophisticated and expensive: computer-based equipment that allows users to access and control the flow of words, images and sounds. Programs incorporate photographs, documentary film, real-time video images and prerecorded audio stored digitally on a CD-ROM or 12-inch laserdisc. Multimedia also is interactive, so that users can navigate through the software programs at their own pace — unlike film and video, which is a linear and passive experience.

Students love multimedia because it closely resembles MTV-style entertainment. It's fast, hip, visually stimulating and responsive to their commands. All it takes is a simple point and click of a mouse, a remote control or a quick swipe across bar code with a "wand" or bar-code reader. Teachers, too, welcome it into the classroom once they become familiar with the equipment. Having all textual and audiovisual resources in a single computer saves them the hassle of tracking down and collecting source materials from filmstrips, videotapes, dictionaries, atlases and various libraries.

According to Nanny, students need a number of multisensory examples in order to learn. And multimedia gives them the chance to probe subjects more deeply because more information can be passed on to the students with pictures, words, and sounds combined.

At Stanford University, English Professor Larry Friedlander designed and developed "The Shakespeare Project" to introduce Shakespeare to students and to encourage them to think imaginatively and critically about theater. He wanted students to avoid the "unidimensional" and rigid experience of reading Shakespeare in a book. "The Shakespeare Project" lets students design scenes from Shakespeare's plays, see the characters' costumes, and create multimedia essays by clipping images and segments of scenes together.

More important for classrooms, multimedia promotes "self-paced learning," an essential tool for students who learn at different speeds. According to Ingemar Sekund, a Swedish multimedia researcher currently at Stanford University, students who learn morely slowly than their classmates often are perceived as stupid if they can't keep up with assign-

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ments. Multimedia may ease this potentially embarrassing problem by allowing students to control the rate of information. They can stop, start, repeat and retrieve segments of programs whenever they want, Sekund said.

The production of multimedia programs has drawn the interest of a wide range of companies. Some, like ABC Interactive or the National Geographic Society, have expressed altruistic intentions about improving education in America. But these also are companies that possess massive visual archives, and they've identified a lucrative way to recycle their wares — multimedia for public schools. Some education experts feel the state needs to become involved in the development of this educational multimedia and not just allow private industry to continue producing and marketing independently.

Multimedia producers agree.

"We need state government intervention for the vision and direction of this industry," said Jane White, director of educational services for ABC Interactive. Producers like White's ABC Interactive wonder how their technology is going to be used in the state's classrooms. For instance, what format will the discs be played on? There's disparity and confusion in California because no real coordination exists between the producers and the state.

Robert Wyman, a state consultant for educational technology, insists that California's involvement is crucial; there needs to be standardization, he urged. Without guidelines set by the state, schools may purchase a random variety of low quality, non-compatible hardware and software. "We don't want a repeat of technology" that wastes taxpayer money, Wyman said.

Multimedia advocates also maintain that state supervision will ensure that "educational equity" exists. All California students from various social, ethnic and economic backgrounds must have access to the same type of computer hardware and software, regardless of their ability to pay for the equipment.

According to Eastin, some school districts need help in evaluating the quality of products. For instance, Cupertino and Palo Alto can easily draw on computer expertise from their own backyards. But rural districts in Kern, Alpine and Mariposa counties don't enjoy the Silicon Valley's high-tech resources.

Fortunately, the situation in California is changing. The stimulus may be attributed to a reaction to keen competition from other states. Whatever the reason, several educational-technology bills have been introduced in the Legislature; "ed tech" conferences and lectures have been held with increasing frequency throughout the state; and late last year the San Francisco Board of Supervisors voted unanimously to endorse a resolution to support the growing multimedia industry in San Francisco. The city government in conjunction with the San Francisco Multimedia Development Group (involving more than 70 companies) want San Francisco to become the "creative capital of the information age." They predict that multimedia will be a worldwide market of $31 billion by 1995; all of this is generating much needed public discussion on the issue.

Last April, California's new Master Plan incorporated the state's first comprehensive strategy on how to implement educational technology. It is intended to be a partnership between the private sector and schools, colleges and universities. Still, this plan is tardy. According to Robert Wyman, almost all other states have secured an educational technology plan.

California has earmarked $13 million for educational technology, thanks to SB 1510, sponsored by GOP state Senator Rebecca Morgan of Menlo Park. The measure also calls for school-based grants for technology, staff-development training, coordination of an interactive statewide telecommunications system (an "electronic highway"), and establishement an 11-member Educational Council for Technology in Education (ECTL) made up of education, business and media representatives.

Donovan Merck, director of the Office of Technology for the state Department of Education, said that California is now taking a more organized approach towards educational technology and that the Master Plan and SB 1510 are a "confirmation of the need for improved coordination." He added that the state has not been idle; planning has taken place over the past five years. Last year's legislation is the culmination of the state's efforts, he said.

Pioneer recently won a statewide bid to provide up to 10,000 videodisc players to California schools in the next year. The players will be sold for almost half the regular price, and the $595 package includes a bar-code reader, remote control and software. This may help California catch up with other states that are spending more money on multimedia hardware, said Jane Periolat, program director for media and technology at the Orange County Department of Education, the office responsible for coor-

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dinating the statewide buy.

But just having hardware in the classroom isn't enough to promote technological literacy. Students and teachers need access, training and support. The California Center for School Restructuring currently is trying to establish information-age classrooms statewide. The center hopes that within five years, all California schools with have not only the technology, but also the training and support necessary to use the equipment effectively.

Beginning this summer, the center will sponsor a series of leadership institutes with educators from throughout the state invited to an intensive technology training session. Institute sponsors hope that the trainees will return to their districts and eventually lead regional institutes — an "each one teach one" philosophy, said Steve Jubb, center director for regional support. Jubb estimated that the effort will cost $250,000, with key support coming from the state, California Business Roundtable, California Technology Project, California Tomorrow and the Autodesk Foundation.

The state also has eased the ability of local districts to buy "technology based materials" — software programs, videodiscs, compact discs, optical discs, video and audio tapes, lesson plans and data bases — with state money normally earmarked for textbooks under the State Instructional Materials Fund. This marks a dramatic shift in thinking about traditional teaching materials. The buys were authorized under a 1991 bill (SB 1008) sponsored by state Senator Gary Hart, who heads the Senate Education Committee. Critics of the bill say, "So what?" If there isn't enough money on reserve to purchase textbooks, what difference does it make if there is more money allocated for technology materials?

But the rush to buy these materials raises a troubling question for educators, administrators and lawmakers. Is the state able to adequately evaluate the content of multimedia materials? Eastin complains that some state-approved textbooks are inaccurate, citing two books, copyrighted two years ago, from California public school libraries. One text reads, "Boys fix things, girls need things fixed." Another describes Africans as "savages." What will be the result if historically inaccurate information is transferred to multimedia discs?

As always, the big, lingering question is how much will this cost? Eastin estimates that it will take $3 billion by the turn of the century — a hefty investment she thinks is worthwhile because it could eventually pump up the ailing state economy as California-produced hardware and software are purchased.

Doug Doyle, faculty marketing manager at Apple, says he understands the reluctance on the part of officials who are grappling with the state's crises. It's not that the people in state government don't want to have the technology, he says, they see cost as a barrier. School officials are overwhelmed with basic modes of survival: getting the asbestos out of the ventilator shafts, making sure that schools don't collapse in an earthquake, paying salaries, keeping a grip on a shrinking tax base and addressing the needs of the diverse student population. It's very disruptive to try to sell some flashy multimedia product when schools can't cope with their crumbling infrastructure, Doyle said.

But what's at stake if California fails to adopt this technology into its classrooms? Eastin believes the state and the nation's competitiveness will truly be affected if students are not technologically literate. "More than two-thirds of the jobs created in the '90s will at some level use technology, so if you really want to position your work force for the future, then you train them," she said. Otherwise, education, the economy and ultimately democracy will suffer because people won't be qualified or prepared to participate effectively, she said.

"There is nothing in this country that looks like the 1950s except the schools," Eastin said, adding that even check-out clerks at WalMart have phones and computers. "I go to the schools of California and teachers don't even have access to the most basic technologies."

Telephones, VCRs and televisions don't quite fit the definition of "multimedia," but these are necessary components that must be in place before more advanced interactive communication tools are put into the classroom.

"If you're not wired for a phone, you can't have communication," Eastin said. "To a surprising extent, we're building new schools in California that do not have a conduit for phones. You've got to be able to walk before you can run. The most elementary thing is the wiring and the basics. After that, I think the whole thing takes off." To correct this problem, Eastin recently introduced AB 1261 to provide schools with the cash needed to upgrade their facilities.

But Merck contradicts the assertion that California is trailing behind other states. "We say we're lagging, but we're not," he said, adding that California's plan is to develop quality products over time. In regard to content, some of the other states are "delivering trash; is that progress?" Merck asked.

In fact, California has been investing in multimedia projects for the past 10 years, although these efforts have not been as widely publicized as Florida's and Texas' forays into multimedia. In 1983 the California Department of Education allocated state funds for educational technology programs and established the Educational Technology Committee for oversight and planning future projects. The department provided over $53 million in small grants to encourage schools to begin or expand their efforts to improve instruction through the use of educational technology. Some of this new technology went into six model technology schools, said Elna Miller, a former staff member in Eastin's office. In addition, a joint venture with Apple, the National Geographic Society and LucasFilm — "GTV" or Geographic Television — was created to teach students about geography. The state gave the project $500,000 and the companies matched the state's contribution, Merck said.

Still, educational technology exists "on the fringes" in California, said Miller, and "unless there is a change in the way that we view technology, it will not be part of the curriculum."

Interactive multimedia in education continues to be an esoteric, unwieldy medium for users, industry producers and state government officials. However, with the establishment of state-mandated guidelines regarding the future of multimedia development, along with President Bill Clinton's early commitment to education and high technology, the backing of key Silicon Valley executives and San Francisco's push to become the international multimedia capital, the majority of California's classrooms may yet be able to experiment with and learn from this emerging technology.

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Right or privilege?

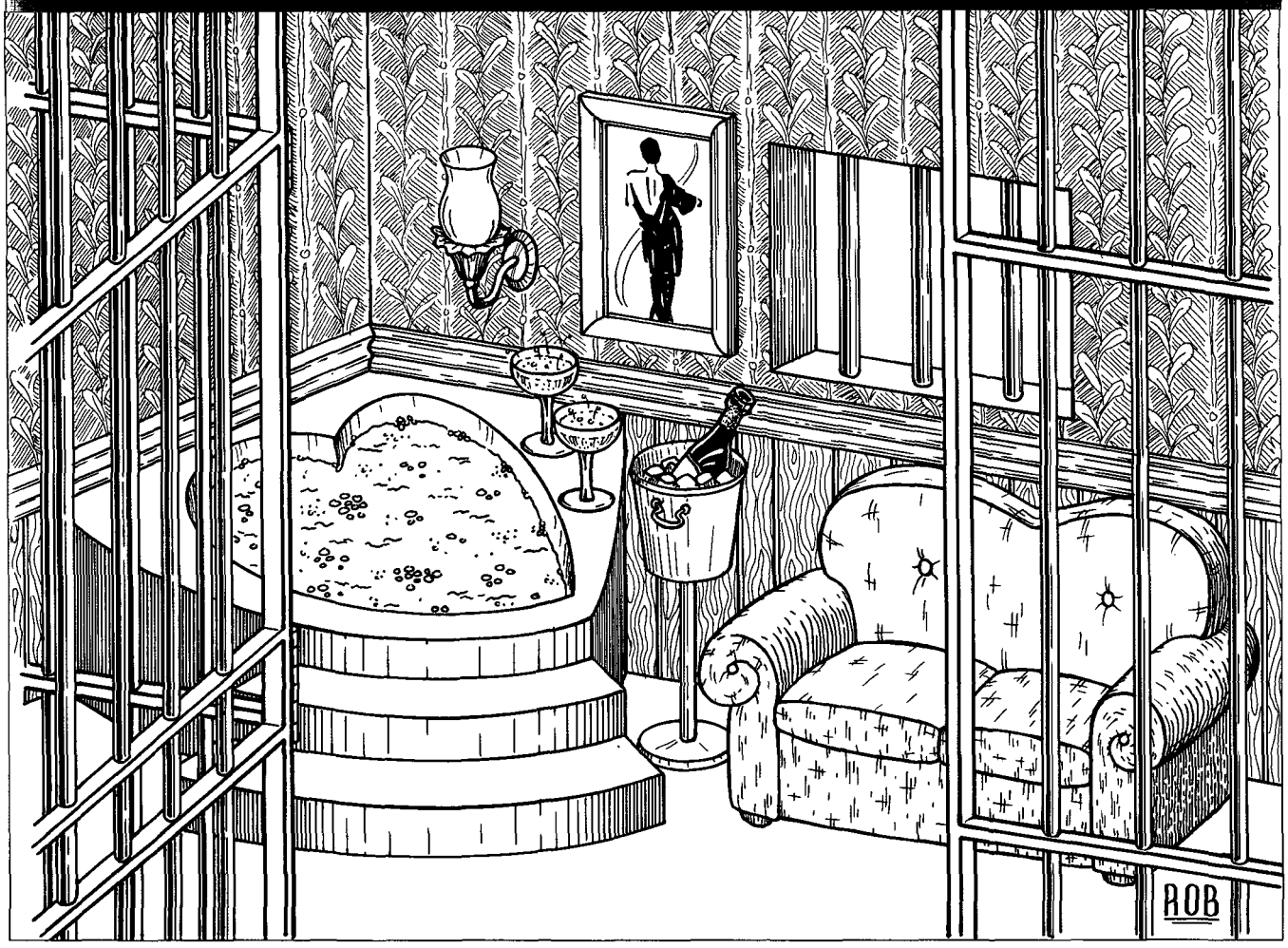

illustration by Rob Wilson

Dean Andal's crusade to end conjugal visits for prisoners

By Ray Sotero

Even some of his fellow Republicans wonder about Assemblyman Dean Andal's motivation. The archconservative, after being snubbed by Assembly Speaker Willie Brown Jr. in a caucus bid to be named vice chairman of the Assembly Ways and Means Committee, now is the lead Republican — although without formal portfolio — on budget issues and is part of the leadership circle that meets regularly with Governor Pete Wilson to hammer out a proposed budget.

But the Stockton lawmaker is in the news of late for another reason. He has proposed a controversial measure to end conjugal visits for state prisoners — a move that has brought him publicity but also death threats, he claims, presumably from disgruntled inmates or their family members. Begun in 1971 by former Governor Ronald Reagan and touted for promoting family values, the visiting program would end under a proposed ban that backers said is needed to save money, help stop family violence and stem drug abuse.

Called the family visiting program by the state Department of Corrections, it last year allowed 26,200 of the state's 109,000 inmates to spend up to three days alone with spouses or other close family members inside private trailers on secure grounds inside 25 state prisons. Similar programs have been adopted by seven other states. Supporters of the program, mostly prisoner-rights groups, said family visits promote closer ties to relatives, reduce prison rapes, lower recidivism and are an effective way to motivate prisoners to behave.

"Family visits allow incarcerated mothers and fathers to spend quality time with their children and their spouses,"

*Ray Sotero is a reporter for the Sacramento Bureau of Gannett News Service/*USA Today.

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said Rebecca Isaacs, associate director of Prisoners with Children, a San Francisco-based support group for inmates and their families. "The right of inmates to meet with their families in a private space is hardly a perk."

Andal disagrees. He said it's unfair for California taxpayers to spend up to $10 million annually so prison inmates can enjoy sex with their spouses. State officials said the figure is closer to $3 million. But both Andal and department officials cited state law in saying that the overnight visits are a privilege and not a right. Andal added that any such expenditures are unreasonable when a looming $9 billion deficit has forced Governor Pete Wilson to propose slashing most state programs, with the most notable exception being the Department of Corrections budget.

"If people want to visit and see their inmates they can come and see and visit" during regular visiting days, Andal said. "The proper way for families to visit each other is during the day, and my bill would not eliminate that. I don't believe inmates should ever be unsupervised."

Andal recounted several examples of inmates beating their spouses or children, attempting suicide and getting caught with illegal drugs apparently smuggled in by the visiting family members.

Corrections spokesman Tip Kindall said out of the 26,200 overnight visits last year, there were 10 drug offenses and five assaults, mostly against wives. The same figures for the three previous years showed a nearly identical pattern.

Andal's measure is backed by the California Correctional Peace Officer's Association because officers are tired of working more under the threat of layoffs while inmates continue to enjoy benefits such as a recently expanded movie program, baseball fields and gyms, president Don Novey said.

"We just got a notice from the state to cut 409 more positions," Novey said. "Are we going to continue to reward people for committing felonies?"

Several opponents to Andal's ban predicted massive prison unrest should the state halt overnight visits. The focus should instead be on rehabilitating prisoners so they can be productive members of society when they complete their term, especially since most inmates during the past decade have been non-violent offenders, they said.

Andal's essential response: Baloney. Persons sentenced to prison are being punished, and today's recession-wracked economy demands that cuts be made. Andal also points to cases where incarcerated inmates have children, and those children grow up on welfare because at least one parent is in prison. He cited one example where a convicted murderer sentenced to life without possibility of parole has fathered three welfare-dependent children and a fourth is on the way.

"We end up paying for that," Andal said.

Andal, who said his Stockton-area Assembly district includes 5000 correctional officers, the highest concentration in the state, faces an uphill battle for passage, but recent committee changes give him hope. He conceded one change he may make is ending the visits only for those sentenced to life terms.

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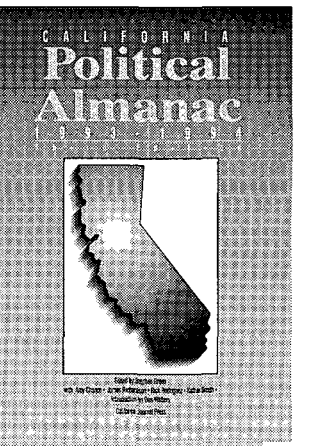

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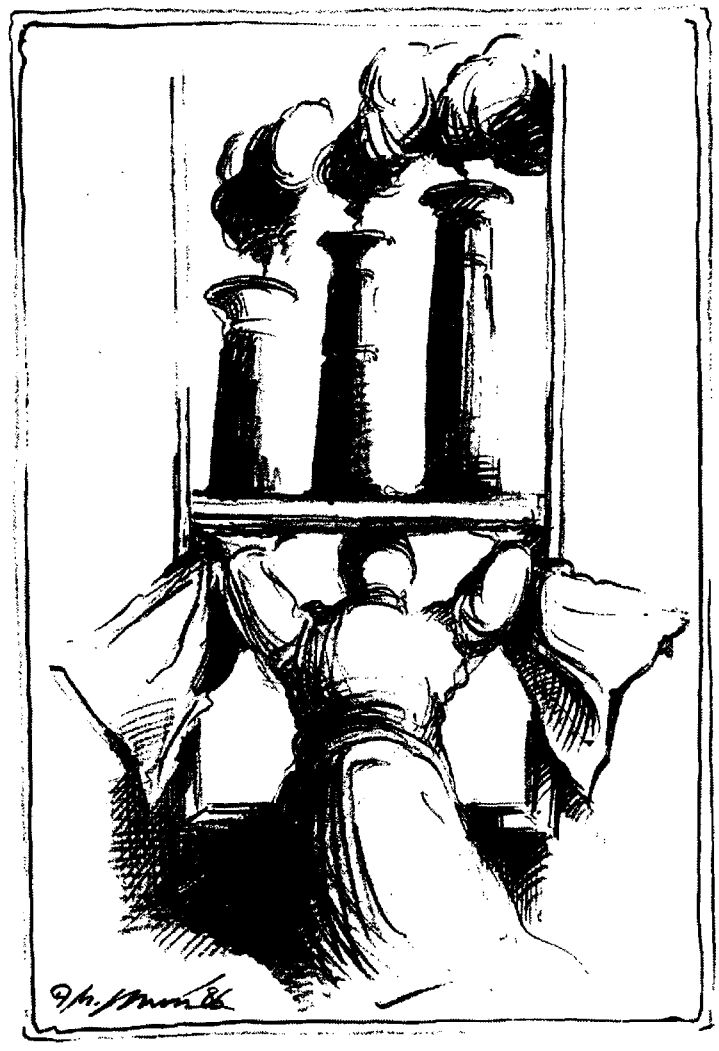

By Pat Paquette

Business is fleeing California. Such, at least, is the claim. The culprit, say business and industry groups, is the state itself; over-regulation — including mandates to protect air, water and wildlife — is driving companies out of California. This undocumented claim has become the basis for political rhetoric, concerning even seemingly minor issues (See "The green tide," *CJ*, February, 1993).

A small but sore point for affected industries is a six-year-old law that directs the California Air Resources Board to collect data from businesses throughout the state on how much toxic material industry facilities emit into the air. Industry groups seeking to relax the law this year will most likely get support from air pollution regulators who are overwhelmed by the flood of paper work the law has created for the state.

A federal study prompted the Legislature to pass the toxic "hot spots" bill, AB 2588, in 1987. The study concluded that three-fourths of U.S. citizens lived near chemical manufacturing plants that routinely release into the air substances hazardous to public health. Still fresh in everyone's mind at that time was an accidental release of a highly toxic cloud of methyl isocyanate from a Union Carbide pesticides plant in Bhopal, India. The December 1984 disaster immediately killed 2000 people; as many as 8000 more have died since.

Businesses fight a law that even state regulators concede has overwhelmed them with paperwork

Pat Paquette is a freelance writer from Felton.

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The United States proved to be prone to such accidents when a toxic leak injuring 140 people occurred at a Union Carbide plant in Institute, West Virginia, not less than a year later.

Information gathered by local air-pollution-control agencies throughout California confirmed the findings of the federal study, and also revealed that the public was being exposed to toxic air emissions from businesses that don't actually manufacture chemicals but rather use them in their processes, such as dry cleaners and auto-body shops. Yet there was little data on the toxic material being released by the industries, either abroad or in the United States. Lack of knowledge about what chemicals Union Carbide used at the India plant was considered a contributing factor to the high number of casualties.

The California toxic "hot-spots" program requires businesses to submit toxic air emissions inventory to regional air districts that regulate air pollution. Facilities that emit more than a certain level of pollutants — carcinogenic or those causing health problems other than cancer — must conduct health-risk assessments. After air district review, the assessments go to the state Office of Environmental Health Hazard Assessment, and the Air Resources Board logs all of the information on a computer database.

The data collection is expensive, and the law was written to place most of the program costs on the affected businesses. In addition to the cost of conducting biennial inventories and health-risk assessments — tasks for which most companies must hire consultants — they must reimburse the air districts and OEHHA for their reviews.

The costs to some businesses have been high because of duplication and lack of uniformity, claim industry representatives. National Refractories & Minerals Corporation, an employee-owned company in Moss Landing, has spent more than $325,000 to comply with the law so far. One Bakersfield oil company spends $2 million every two years to comply. One reason for the soaring cost lies in the fact that about two dozen of its oil production facilities fall within the jurisdictions of five air districts. Because reporting requirements are not uniform across district boundaries, the company must prepare separate reports for each district. Businesses find even more onerous the state's insistence that they continue to conduct inventories every two years even if the information doesn't change much from one year to the next.

The toxic "hot-spots" program has failed to turn up any potential Bhopals, according to one oil industry lobbyist. "We've gone through first phase of 2588 and probably have more data now than exists any place on Earth," he said. "The results would indicate there are few high-priority facilities, and that in view of that, and in view of the cost of doing the inventories and risk assessments . . . why keep doing this every two years?"

That's the other major complaint: that businesses must continue to conduct the biennial inventories even if the first ones showed their toxic air emissions to be negligible. While the Air Resources Board is going through a review process of the requirements and is considering changes similar to those proposed by industry, business groups fear the agency won't go far enough and want the assurance of an amendment to the law. The Western States Petroleum Association has proposed a bill — AB 1060 carried by Hanford Democrat Jim Costa — that would extend the time between inventories to four years. The bill also allows facilities with low level of air toxins to drop out of the program entirely, unless they change their manufacturing processes enough to trigger an increase in their toxic emissions.

Meanwhile, the California Air Pollution Control Officers Association, an organization of the staff executives of the state's 34 air districts, is considering sponsoring a bill of its own, depending on whether the Air Resources Board addresses its concerns in its regulatory revision. The association is considering similar changes to the oil group's proposal. The feed and grain industry jumped on the wagon as well, sponsoring a similar bill by Modesto Democratic Assemblyman Sal Cannella.

Environmental groups — the few that are tracking the issue — haven't actively opposed the changes so far, and probably won't do more than submit token testimony in opposition when the bill is heard in the Assembly. Their primary objection stems from a provision in the law requiring businesses to notify the surrounding community if the risk assessments reveal possible health hazards. Environmentalists concentrate on this public right-to-know portion of the bill, and say companies shouldn't be rewarded with fewer restrictions when many haven't informed surrounding communities of potential hazards yet.

"I find the whole thing somewhat ironic," said Jim Jenal of the Coalition for Clean Air. "We haven't yet had one notice go out in the South Coast air basin. So to talk about how unfair and inappropriate the program is to industry — if you want to identify to whom this program is unfair, it seems to me its implementation is unfair to the public that it was supposed to provide a warning." Many of the assessments, however, have gotten delayed in the system. The South Coast Air Quality Management District more than a year ago submitted 300 health-risk assessments for OEHHA review and has had 40 of them returned. Most were deficient to some degree and will have to be sent back to the companies for corrections and resubmittal — a delaying tactic, Jenal charged, that works to the advantage of companies not eager to tell the community that the companies haven't been such good neighbors after all.

OEHHA admits it is behind schedule — and in technical violation of the law. But it didn't expect to be flooded with more than 600 health-risk assessments, and there isn't enough staff to do the work, agency officials said. Contractors can be hired, but many in the field are disqualified because they also prepare health-risk assessments for businesses and conflict-of-interest charges would have arisen sooner or later, said the agency. So far, OEHHA has completed reviews of 240 health-risk assessments.

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"It's supposed to be a right-to-know program, and you would hope that right-to-know would be done on a timely basis," said Amy Taketomo, an official with the Monterey Bay air district who helped develop the Santa Barbara air district's toxic "hot-spots" program. But the long lead times and layers of review have turned into a several-year process, she said. Among the difficulties with the program — and a cost factor for businesses — is the state Air Resources Board's requirement that data be submitted in a standard form to make data entry easier, she said. Ironically, the data itself doesn't have to be measured in the same manner from one district to the next. Under the law, air districts can establish their own reporting requirements.

The form of the public notifications is another point of contention. Under the law, each air district may decide how to notify the public and how much to say. The California Air Pollution Control Officers Association has issued guidelines, but there's no requirement that they be followed. Public notices range from one air district's proposal for a four-page format including maps to a half-page statement with few details.

Wording the notifications in a manner understandable to the lay public has been a struggle for air districts. Notification is required for a cancer risk as low as one in 1 million — that's the chance of developing an additional cancer cell, not dying of cancer. And to be subject to the full one-in-a-million risk, a person would have to stand next to the emissions source 24 hours a day for 70 years. The risk of developing cancer in the general population is one in four, and an additional risk of one in a million likely would be a big yawn for many Californians already bombarded by warnings under Proposition 65, a law requiring that all hazardous material be labeled. How to warn people without undue alarm but without making it sound as if they're passing off the risk as insignificant perplexes air district officials.

"It's what the risk communication field calls the 'outrage factor,'" Monterey's Taketomo said. "Some people will be outraged by one in a million — it's not so much the idea that you are being exposed to a large risk but being exposed to a risk you didn't know about. And that's what we are trying to be sensitive to."

Businesses argue that they are spending too much money for too little result. Many companies, after performing expensive inventories and health-risk assessments, find out their toxicity levels aren't high enough to warrant public notification.

State regulators disagree with industry on that point, however. The main purpose behind the AB 2588 program is to collect data, OEHHA's Melanie Marty said. The Air Resources Board now has a huge database on chemicals being emitted into California's air, she said.

Another benefit of the program has been the voluntary reduction in toxic emissions by many businesses that weren't aware of what they were putting into the air, she said. Some reduced their emissions because they could; others did so to avoid falling into the category that would have required them to send out public notices. Looking from that perspective, Marty said, the program hasn't been a failure at all.

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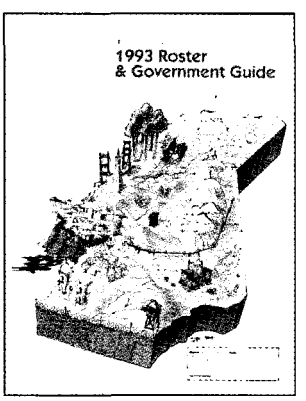

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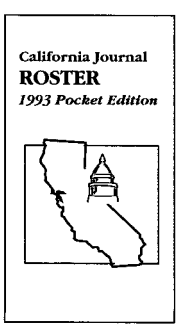

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WASHINGTON PERSPECTIVE

By LARRY LIEBERT

Base-closing roulette

"Unless California is revived," President Bill Clinton told a college audience in Santa Monica in February, "the nation cannot recover economically."

THE COMMENT CARRIED SEVERAL MESSAGES: that Clinton was sensitive to the state's deep economic suffering; that he pledged to contribute to California's recovery; and that he recognized that rescuing the largest state was essential to the success of his presidency and to his re-election in 1996.

With Clinton's declaration very much in mind, Assembly Speaker Willie Brown and Senate President pro Tem David Roberti led a delegation of more than 60 state legislators and officials to Washington in March for their annual lobbying excursion in the big leagues of national politics. They brought a full agenda of requests for new federal aid. At least that was the agenda until the jet-lagged Californians awoke to read the Sunday *New York Times*.

Some insider had given the newspaper a preliminary list of unneeded bases that the military services had targeted for shutdown. Defense Secretary Les Aspin was required by law to make his recommendations for base closures by the end of that week. The preliminary hit list called for closing nine bases in California, including McClellan Air Force Base in Sacramento, Alameda Naval Air Station in the Bay Area, Long Beach Naval Shipyard and El Toro Marine Corps Air Station in Orange County. Already mired in a seemingly bottomless recession, California would lose 80,000 jobs on the bases and many more in the surrounding communities if Aspin stuck with the leaked proposals — and if the bases stayed on subsequent versions of the list to be crafted this summer by an independent commission for final approval by Clinton and Congress.

"All the firepower we can muster was already here," Brown said two days after the news, as the California contingent's visit to seek favors from Clinton turned into a desperate crusade for the president's intervention to avert a disaster for the state.

The state's often fractious politicians declared an effort of unprecedented unity to lobby for a reprieve from Aspin or Clinton, who met with a group of the state legislators in midweek and also spoke to the state's senators. But there were tensions lurking behind the spirit of cooperation. Some House members from the San Diego area — where already huge Navy operations stood to grow even bigger in a consolidation of bases — did not hide their enthusiasm.

The immodest Brown proposed an unequivocal message to Clinton about California's bases: "He can't touch any of them." But the mild-mannered dean of the state's Democratic House delegation, Don Edwards of San Jose, was less confrontational, speaking of the need for "mitigation" of the economic damage done by closings.

Brown predicted that closing so many bases in the state would "adversely affect California in such a way that Californians will not forget it." But Edwards put it more gently, saying: "We don't need to blackmail this president. He is very interested in California. He is accessible. As California goes, so goes the nation, to a very great extent."

Dianne Feinstein took the lead over her Senate colleague and fellow Democrat, Barbara Boxer. The issue was of greater urgency to Feinstein, who has to face voters again in two years. And Feinstein, who as San Francisco mayor had fought unsuccessfully for a Navy homeport in her town, had more credibility to defend bases than Boxer, who had opposed the homeport and as a House member regularly sought deep cuts in defense spending. (Boxer may eventually get the best of that old fight over a San Francisco homeport. If the Navy facility had been built, it probably would have been on the recommended list for closures, as is a spanking new homeport in Staten Island, New York.)

By week's end, the Californians had made quite an impression on the politically attuned Aspin. The list of 31 major bases that he recommended closing did not include two of the major California facilities the brass had nominated for extinction — McClellan Air Force Base and the Long Beach Naval Shipyard. One California facility, the San Diego Naval Training Center, was added to the list, but San Diego would still enjoy a substantial net gain. In all, California would still lose 32,000 military and civilian jobs.

Not everyone was that eager to praise the partial reprieve for California. "It is obvious that changes were made to the list of bases in California, which supported President Clinton in the recent elections and has two Democratic senators," protested Strom Thurmond, the 90-year-old senior Republican on the Senate Armed Services Committee. Thurmond, whose state would be rocked by the recommended closure of the Charleston naval complex, said, "This suggests that politics played some part in a decision which should be totally separate from any whisper of partisanship."

And some Californians had nothing to celebrate, most notably Ron Dellums of Oakland, the new Democratic chairman of the House Armed Services Committee. Aspin, who was his predecessor as committee chairman, proposed vacating the Alameda Naval Air Station and four other facilities in or near Dellums' district. The decision reflected the Navy's preference to pull out of the Bay Area and concentrate its California activities in San Diego.

OTHER CALCULATIONS MAY HAVE BEEN AT WORK as well: The leftist Dellums is virtually unbeatable for re-election in his unswervingly Democratic district, so he can afford politically to take the loss. And Aspin may feel he can take his old committee and its chairman for granted while dickering on defense issues with his fellow centrist, Senate Armed Services Committee Chairman Sam Nunn, a Georgia Democrat. For his part, Dellums called the list "no coincidence," accusing the military establishment of retaliating for his 22 years of opposition to big military budgets.

Aspin denied Dellums was being punished for his dovishness. The defense chief said on NBC's "Meet the Press" that when he looked at the hit lists of the individual services and considered the impact of two previous rounds of base closings, "We found that there was a big hit on Northern California. It was just piling on. So what we did was say, 'Look, on the basis of cumulative impact, we're going to take a couple of these off.'"

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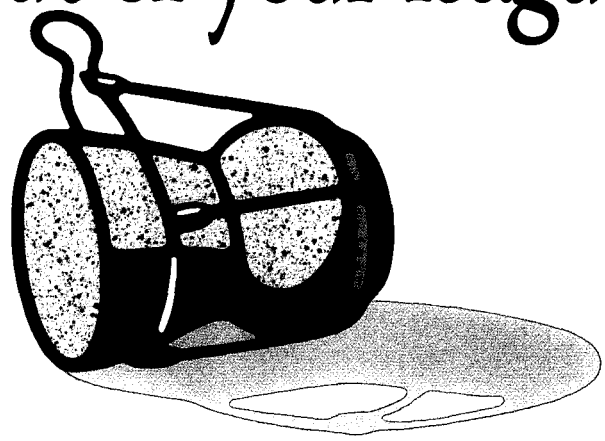

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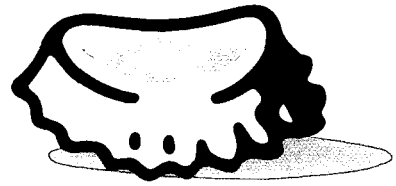

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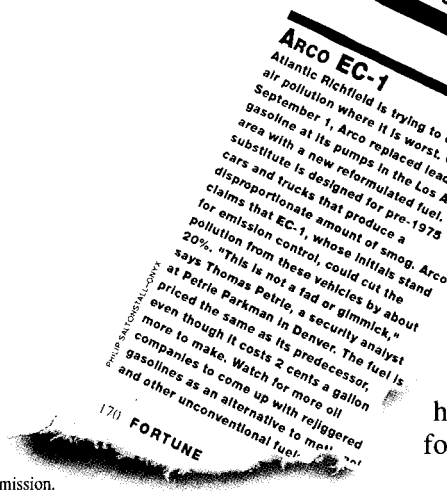
ARCO EC-1
Atlantic Richfield is trying to clean up air pollution where it is worst. On September 1, Arco replaced leaded gasoline at its pumps in the Los Angeles area with a new reformulated fuel. The substitute is designed for pre-1975 cars and trucks that produce a disproportionate amount of smog. Arco claims that EC-1, whose initials stand for emission control, could cut the pollution from these vehicles by about 20%. "This is not a fad or gimmick," says Thomas Petrie, a security analyst at Petrie Parkman in Denver. The fuel is priced the same as its predecessor, even though it costs 2 cents a gallon more to make. Watch for more oil companies to come up with rejiggered gasolines as an alternative to me
and other unconventional fuel
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